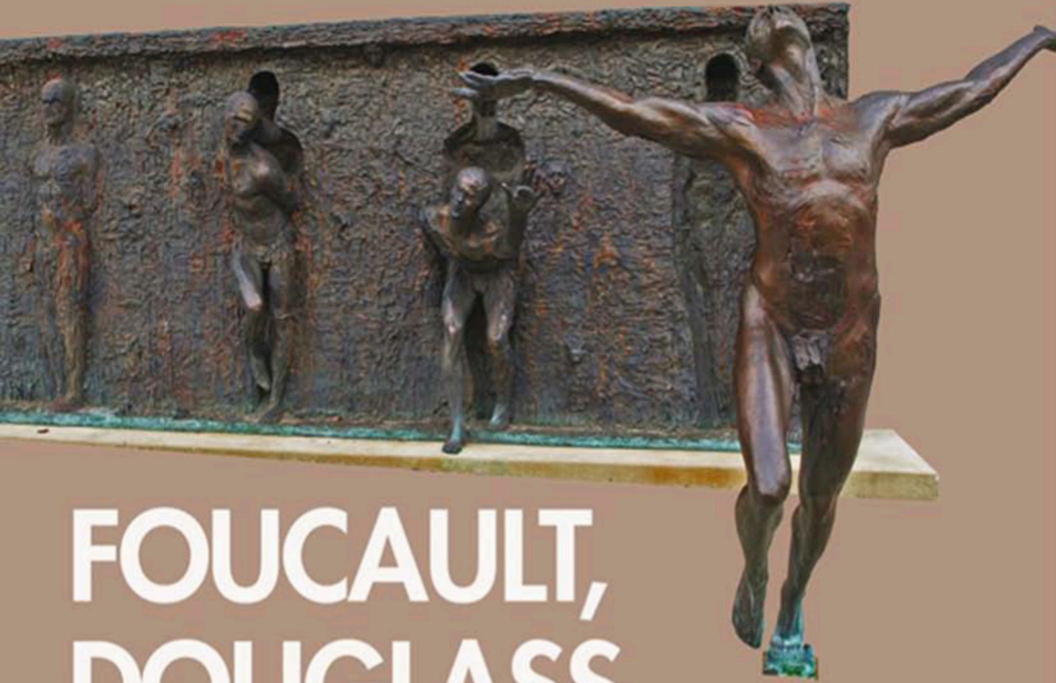
New Approaches to Religion and Power



FOUCAULT, DOUGLASS, FANON, AND SCOTUS IN DIALOGUE

On Social Construction and Freedom

Cynthia Nielsen

Foucault, Douglass, Fanon, and Scotus in Dialogue

NEW APPROACHES TO RELIGION AND POWER

Series editor: Joerg Rieger

While the relationship of religion and power is a perennial topic, it only continues to grow in importance and scope in our increasingly globalized and diverse world. Religion, on a global scale, has openly joined power struggles, often in support of the powers that be. But at the same time, religion has made major contributions to resistance movements. In this context, current methods in the study of religion and theology have created a deeper awareness of the issue of power: Critical theory, cultural studies, postcolonial theory, subaltern studies, feminist theory, critical race theory, and working class studies are contributing to a new quality of study in the field. This series is a place for both studies of particular problems in the relation of religion and power as well as for more general interpretations of this relation. It undergirds the growing recognition that religion can no longer be studied without the study of power.

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Introduction: Why *These* Unlikely Dialogue Partners?

Character Sketches: Setting the Stage

Michel Foucault, arguably one of the most influential thinkers of postmodernity, offers penetrating analyses of how subjectivities are constructed through the interplay of discursive practices, institutions, disciplinary regimes, and biopower. His statements regarding the ubiquity and all-pervasiveness of power relations have been misinterpreted as both a denial of human agency and a death blow to the subject. Against this entrenched view, I argue that his understanding of power relations presupposes free subjects, and, in fact, creates a space for resistance possibilities. That is, for Foucault, a free subject is one whose relations with others produces a field of possibilities for acting on one's own as well as on others' actions. That field may, of course, become severely restricted, affording only limited openings for strategic maneuverings and self-elaboration. Nonetheless, even in extremely oppressive situations, an agent retains her freedom as long as she is able in some way to resist.

Here my dialogue with Frederick Douglass and Frantz Fanon proves fruitful. Douglass, for example, was forced to live in an inhumane slave society; yet, he engaged in subversive acts, allowing him to renarrate his subjectivity. Although Douglass's freedom was constrained, he was not rendered completely passive. Through examining Douglass's and Fanon's concrete experiences of oppression, I demonstrate the empirical validity of Foucault's theoretical analyses concerning power relations and subject-(re)formation. More than merely confirm Foucault's insights, Douglass and Fanon—speaking from the margins and liminal spaces of modernity—expand, strengthen, and offer correctives to the emancipatory dimensions of Foucault's project.

Unlike Foucault, Douglass and Fanon were forthright concerning their moral evaluations. That is, having lived as socially dead and politically invisible persons, they spoke openly, candidly, and forcefully of the inhumane practices of slavery and colonization, condemning such acts as unjust. Foucault's reticence to make transcultural moral judgments signals a weakness in his account not unrelated to his reticence to affirm or make explicit at least some shared ontological capacities common to all humans. Consequently, Foucault's weak anthropology and his failure to develop a more robust account of human beings create an obstacle not only for my premodern dialogue partner, John Duns Scotus, but also for my modern dialogue partners.

At this point, the stage is set to introduce John Duns Scotus. Scotus's notion of agency affirms the power for opposite acts, and his "thick" account of the will and his multidimensional notion of freedom establishes a basis for transcultural, moral critique. Unlike most Christian medieval thinkers, Scotus offers a powerful argument against slavery—an argument based upon his understanding of what human beings are, namely, free, rational, and thus moral and morally responsible creatures. Although Scotus's position is not without its problems, succumbing as it does at times to a status quo view tied to a specific interpretation of scriptural passages, his argument is easily rescued and quite applicable in contemporary contexts. Moreover, the Subtle Doctor demonstrates an awareness of the importance of history and the need for a more flexible, dynamic view of natural law. In short, Scotus's role in my project is something akin to an improvisation on selected themes with the purpose of facilitating creative, constructive dialogue between past and present thinkers evincing emancipatory concerns, attunement to social construction, and a desire to promote genuine human flourishing.

Chapter Sketches

In chapter 1, I define important technical terminology—social constructionism and its many variations—as well as conceptual categories integral to social constructionism, drawing upon the work of feminist philosopher Sally Haslanger. Because "race" serves as my concrete explanatory model for social construction, I enter into a brief discussion of the differences between biobehavioral essentialism, racial skepticism, and racial constructionism, interacting with several prominent philosophers of "race" such as K. A. Appiah and Ron Mallon. Having explained common philosophical views on "race" and aligning myself with the social constructionist camp, I then enter into a discussion of agency. If subjectivities such as "black," "colonized," and the like are constructed and social construction cannot be reduced to or equated with social determination, then some sense of human agency is required in order to resist the imposed narratives and to rewrite one's own subjectivity.

In chapter 2, I introduce and discuss several key Foucauldian themes: power, resistance, Foucault's notion of a decentered subject, the "double construction" of the subject, as well as his distinction between tactics and strategies. I engage a number of Foucault's critics—in particular those claiming that he leaves us a wholly passive subject, that is, a subject socially *determined* "all the way down." On the contrary, I show that Foucault's understanding of power relations assumes free subjects, and his notion of resistance is inextricably tied to his notion of power relations. Power and resistance, for Foucault, are correlative concepts. Thus, the ubiquity and inescapability of power relations goes hand in hand with the always present possibility for resistance.

Having answered Foucault's critics on the question of the supposed passivity of the subject, many crucial questions remain unanswered. For example, why are *human* subjects capable of resistance? How are they able to formulate intentional tactics, engage in discourses and counterdiscourses, and renarrate their subjectivities? Such questions move us into the realm of ontology, as they concern what we *are* as human beings. Likewise, the ability to resist hegemonic discourses and to (re)construct one's subjectivity requires an active subject. Foucault explores possible ways to understand active subject-making in his later writings on self-technologies. Such technologies are the focus of the following chapter.

Chapter 3 introduces us to Frederick Douglass through a textual examination focusing mainly on selected portions of his first autobiography, *Narrative of the Life of Frederick Douglass*. Unlike Foucault, Douglass is in no way hesitant to pronounce certain claims as transhistorically and universally true—for example, the enslavement of human beings is always and everywhere unjust, a violation of what it is to be human. In his narrative, Douglass describes how his subjectivity was scripted by the white other and how his spatiotemporal existence was likewise constrained through constant surveillance and disciplinary *dispositifs*. In spite of his oppressive context, Douglass was able to assert his humanity or human *being* through creative acts of resistance. Throughout the chapter, I highlight the ways in which Douglass refused to accept the other-imposed narrative, demonstrating with his life the truth of his being—a human being unwilling to be classified as a thing or as the mere property of the white man. As I examine key events from Douglass's narrative, I likewise explore the ways in which the resistance-tactics he performs complement Foucault's elaboration of power relations and openings for resistance. Even in a brutal context such as the US chattel slave-system, Douglass worked creatively within and through exploitative and blatantly racist political discourses and structures. He succeeded not only in subverting these structures via counternarratives and performative acts, but also in revealing his humanity—the very humanity his society actively sought to suppress and at times destroy.

Toward the end of this chapter, I engage some of Douglass's feminist and womanist critics, who point to problematic aspects of Douglass's account of freedom given his own social conditioning in a (white) patriarchal context. On the one hand, I agree with Douglass's critics on numerous points; yet, on the other hand, I draw attention to Douglass's cognizance of the need to choose his sociopolitical battles wisely. That is, I argue that Douglass's rhetorical strategies were intentional, subversive, and significantly more complex than some of his critics grant. In other words, though Douglass was conditioned by and participated in the patriarchal narratives of his day, nonetheless, he did in fact challenge the hegemonic, patriarchal discourses of nineteenth-century America in important and substantive ways.

In chapter 4, I turn to Frantz Fanon's account of his sufferings as a black other in a white (racialized) world. Like Douglass, Fanon, too, is unambiguous in his denunciation of European colonizing practices and the racial discourses supporting the larger economic and sociopolitical apparatus. Unlike Douglass, Fanon had the opportunity to study in formal institutional settings. Given such an opportunity, he was exposed to and entered into critical dialogue with important European thinkers such as Hegel, Sartre, and Merleau-Ponty. By listening attentively to his analyses of the "lived experience of the black man," we begin to grasp the vast difference between how a black and a white man, as the existentialists put it, *have* a world.

In this chapter I also discuss Fanon's complex relationship with humanism, comparing and contrasting it with Foucault's equally complex association with humanism and humanistic themes. (Those familiar with Fanon will at once realize that the Fanon of my project is clearly the humanist Fanon of *Black Skin, White Masks*.) Throughout Fanon's works, we find strong emphases on human solidarity. We likewise hear a call for all human beings—irrespective of their ethnic backgrounds—to unite in virtue of a shared humanity; yet, his acknowledgment of a common human nature in no way diminishes our differences and unique cultural, intellectual, and other societal contributions. Here I gesture toward what I call Fanon's "symphonic humanism"—humanism as a symphony composed of diverse voices, each having a distinctive part contributing to the beauty of the larger, unfinished masterpiece. Last, whereas Foucault does not appeal to our shared humanity or human nature and thus differs sharply with Fanon in this respect, both men were in complete agreement in their refusal to accept contingent, historically formed narratives as universal and necessary truths. Other similarities and differences between the two thinkers such as their views on Enlightenment and universal human rights are also examined in this chapter.

In chapter 5, my premodern conversation partner, John Duns Scotus, takes center stage. Scotus continues our dialogue about *human* being and being-in-the-world. In light of Scotus's Christian commitments, it is no surprise that his account includes theological elements. However, what may come as a surprise to some readers is the Subtle Doctor's dynamic view of natural law, his philosophical argument condemning slavery, and his view of universal human rights—a view grounded in a robust, multidimensional understanding of freedom.

Scotus stands squarely in the medieval (philosophical) libertarian camp and elaborates an account of human freedom that affirms transcultural ontological structures of the human agent. By establishing that humans possess nondetermined, nonconstructed volitional capacities—a metaphysical freedom constituting human being from which moral and political freedom arise—Scotus provides us with a "center," enabling us to launch a moral critique of slavery, human trafficking, and other violent crimes against human beings *as* inherently free beings.

Unlike most, but certainly not all, medieval views of slavery, Scotus's position challenges ancient views of natural slavery such as Aristotle's view and thus resonates with contemporary justice concerns regarding the injustice of slavery and the exploitation of human beings. This is not to claim that Scotus's discussion of slavery is free of difficulties. Neither do I insist that one must adopt every claim associated with his metaphysics, nor must one take up *only* his account of freedom and the will and no other. Nonetheless, I contend that one can embrace some variant of a universal ontologically "thick" account of freedom *and* reject the culturally conditioned "gender" essentialism and other baggage that has so often accompanied medieval thought.

Chapter 6 provides an overview of the previous chapters, summarizing the contributions of each thinker regarding the interplay of human freedom and social construction and other key themes examined throughout the book. I conclude that bringing these unlikely dialogue partners into conversation and mining their respective strengths is a worthwhile project, as it demonstrates how social construction and freedom can and do coexist harmoniously.

Those who read my chapters with care will see that my desire to synthesize the insights of three very diverse traditions is to do so via a *dialogical* engagement. That is, I in no way seek a one-way conversation but rather a reciprocal exchange in which the strengths and weaknesses of each conversation partner surface in order to facilitate, to borrow Hans-Georg Gadamer's term, a "fusion of horizons."

Clearly, each of the thinkers I examine has distinct projects, aims, and methodological commitments. Even so, I argue that none—including Foucault—advances a position of social (or philosophical) determinism that annuls human agency or denies human freedom and moral responsibility. Rather, Foucault's notion of power relations presupposes free subjects, his analyses of social construction allow for resistance possibilities requiring nonconstructed capacities, and his later turn to the "technologies of the self" underscore an active subject—that is, a subject able to engage in self-transformative practices that cut against the grain of cultural norms and allow a new subjectivity to emerge. In short, my synthesis consists of harmonizing postmodern and modern views of social and self-construction and the creative power of discourse with premodern views of the will "chastened" and purged of those elements that have tended to enslave rather than to emancipate. What animates my study—faith, hope, and love—is a triad whose notes resonate in one way or another in each of my representative thinkers. Whether expressed as a call to imagine ourselves otherwise, as a recognition of our frailty and need for others, or as a longing for a new humanity where our different voices sing together in a polyphonic unity, the quest to sound these notes "on the ground" is an ideal for which our striving is not in vain.

Whose Freedom, Which Ontology?

Before moving into chapter 1, I want to foreground a crucial Scotistic contribution to the dialogue—a contribution that to my mind is something of a game-changer for two reasons. First, it offers resources for the Foucauldian dissatisfied with the limitations of Foucault's anthropology and desirious of a more adequate moral and ethical critique of violence and oppressive power relations. Second, by adopting some variation of Scotus's ontology of human beings, Foucault's own position is made more coherent and his emancipatory insights regarding resistance and power are strengthened. Like Foucault, Scotus presents a (libertarian, philosophically speaking) view of freedom affirming the agent's ability to choose and to carry out opposite actions. Douglass and Fanon hold similar views of agency, as is evidenced in their narrative portrayals of their own resistance to a racialized society. However, Scotus's ontologically "thick" in contrast with Foucault's ontologically "thin" account of freedom and agency suggests that human freedom is telic. In other words, Scotus's notion of metaphysical freedom serves as the condition for the possibility of moral and political freedom. Thus, in Scotus's multidimensional view of freedom we have a way to explain *why* humans should not be enslaved, colonized, or forced to exist in oppressive relations of any sort. Foucault frequently aligns himself with the marginalized and affirms nondominating power relations; however, his overall framework and weak anthropology is morally inadequate to support his own "alignments" and renders his views mere personal preferences. In contrast, Scotus's anthropology and account of freedom moves us beyond personal preference and provides an answer as to *why* humans typically resist the kind of dominating power relations of which Foucault disapproves and cautions against.

According to Scotus, metaphysical freedom is essential to human being; consequently, human beings, as one would expect, resist when their freedom is threatened. Historically speaking, resistance to oppressive regimes and dominating relations is a fairly constant, empirical, and transcultural phenomenon. Such a regular and consistent pattern across cultures and historical epochs suggests that human (metaphysical) freedom is telic. That is, proper human freedom seeks a "place" in which it can flourish and express itself concretely in social and political life with others. Having sketched some of the central points of tension between my conversation partners and drawing attention to the ethical and moral difficulties that surface in Foucault's account, I turn in chapter 1 to a discussion of social construction. My first chapter, thus, sounds my opening theme in the form of a question: can human freedom and social construction be harmonized? This theme shall be rearticulated, reharmonized, and recapitulated throughout my chapters. Although I argue that a harmonization can be achieved, my symphonic variations remain open-ended and invite other composers to improvise and add their voices to the performance. In order to train our ears to listen to the harmonies to come, I begin with an analysis of "race" as a socially constructed phenomenon.

CHAPTER 1

Themes and Their Variations: Harmonizing Humans as Socially Constructed and Free?

Understanding Socially Constructed Subjectivities via the Construction of "Race"

A destiny that proclaims one people or nation superior to all others is a flawed destiny.

A destiny that scripts subjectivities while asserting their fixity is a deceitful destiny.

A destiny that reduces human beings to commodities is a grotesque destiny.

Neither manifest nor inevitable, the American variation on this so-called destiny and its unique contribution to calculated, callous, uncivilized treatment of human beings congealed due to multiple contingent causes, not the least of which included a systematic inculcation of distorted narratives of religion and "race," power and freedom. Like a voice crying out in the wilderness, Frederick Douglass speaks both eloquently and powerfully to the brutality and injustice of chattel slavery. For example, in his 1852 oration, "The Internal Slave Trade," Douglass offers his own analysis and stringent condemnation of America's participation in the trafficking of human beings for economic gain. He begins by drawing our attention to "the practical operation" of America's slave industry, an industry "sustained by American politics and American religion! Here you will see men and women reared like swine for the market."[1] Driven around the country like mere animals, these men, women, and children are beaten, prodded, and whipped, as they process in dirge-like fashion toward the New Orleans slave market. Douglass then zeros in on a few of these infelicitous, iron-clad souls—an elderly, gray-headed man, a young mother with a sun-scorched back and teary eyes carrying her infant child, a teenaged girl mourning the violent separation from her mother. Tired and exhausted from hours of exposure to the blistering sun, the young mother begins to lag behind. Then you hear it—"a quick snap, like the discharge of a rifle; the fetters clank, and the chain rattles simultaneously; your ears are saluted with a scream that seems to have torn its way to the center of your soul."[2] What was this awful sound, followed by a high-pitched, piercing scream? The sound was a whip striking the young mother's bare shoulder; the scream needs no explanation. As the slave traders drive this human herd to the auction block, where the males will be "examined like horses" and the women "exposed to the shocking gaze of American slave-buyers," Douglass implores us not to forget "the deep, sad sobs that arose from that scattered multitude."[3]

This is simply one among many scenes depicting the hardships African American slaves endured on a daily basis as a result of the institution of chattel slavery. Enslaved by the love of money, the master's vision becomes distorted. Not only does he see human beings as things, but the sounds of suffering fail to reach his muted ears. Deafened to the wailing of mothers torn from their children and children torn from their mothers, he transposes the dissonance of clanking chains into golden keys, which like the dual cut of a double-edged sword open the door to his future and secure the bonds of his brother.

To add to their humiliation and degraded status as mere property of the white man, slaves were subjected to public auctions where they were ordered to stand, often naked or nearly so, allowing the potential buyers to examine their bodies to ensure their suitability for long-term servitude. If a slave's body showed signs of illness, disease, or possible weaknesses, they were passed over as bad investments, unprofitable for the master's business. Scar tissue on a slave's back—the number of scars, whether a scar was old or relatively fresh—became the subject of a mythology employed to determine a slave's character. Too many scars indicated a rebellious spirit, whereas having few scars meant the slave possessed a docile, obedient spirit. "As they worked their way from inflicted scars to essential character, buyers fixed slaves in a typology of character according to the frequency, intensity, and chronology of the whipping apparent on their backs."[4] While the slaves stood humiliated, exposed and wondering what kind of master might purchase them on that particular day, the slave buyers paraded themselves before the crowds as augurs who "could read slaves' backs as encodings of their histories."[5] The slave's face, however, with its expressive capacities spanning the spectrum of human emotions—from compassion to agony, ecstasy to alarm—the face as the display case crafted to exhibit the eyes is of no interest to the slave buyers. Provided that it is free of work-hindering defects, the slave's face is utterly insignificant to the purchase. "It was the instrumental value of these bodies that mattered to the buyer, their size and shape, the color and the ages, the comparability of parts and durability of attributes—not the faces."[6]

Although this study is not about "race" per se, I have chosen "race" as one of my themes for at least two reasons. First, "race" and the racialized categories produced via "race" narratives offer us particularly striking, evocative examples of how subjects are socially constructed. Second, because racialized subjectivities, generally speaking, are constructed in part through a narrative imposed from without, analyses of these subjectivities lead naturally to analyses of resistance.[7] We are all familiar with the term "race" and employ racial discourse in everyday conversations. However, when we reflect more deeply upon the meaning of "race," "black," "white," "Jew," and other words used to describe a person's or group's racial identity, we find rather quickly that such terms are porous and mutable. Or as T. S. Eliot put it, speaking of words and presumably their meanings, terms such as "black," "strain, [. . .] slip, slide, perish, / Decay with imprecision, will not stay in place, will not stay still."[8] Why not, we may ask? In a poststructuralist vein, I respond that racialized terms such as "black" or "blackness" are intimately tied to the institutions, sociopolitical discourses, cultural traditions, and legal practices of the particular historical period in which they emerge. As French sociologist Loïc Wacquant has argued with persuasive force and solid empirical backing,[9] "race" and the racialized subjectivities constructed through various historical contingencies—institutions, sociopolitical discourse, and so on—are produced, that is, socially constructed. I shall offer a few examples to unsettle the assumptions of those who are skeptical of the claim that "race" is a social construction. Then in the second section of the present chapter, I shall present a more theoretical account of the meaning of social construction.

No doubt we are thankful that the days of chattel slavery are not the days in which we live. In fact, the recent election of Barack Hussein Obama as the first "black" president of the United States of America has been celebrated as a landmark achievement in a country stained with the blood of racial violence. Obama's election—at least for some—signals a positive step in the ongoing march toward racial equality. However, if we pause to consider what it means to be labeled as the first "black" president, the complexities and confusions surrounding "race" and racialized subjects manifest themselves rather quickly. First of all, what is often forgotten or sidelined in conversations about Obama and "race" is the fact that his maternal lineage is "white." If Obama and countless others like him have a mixed "black" and "white" ancestry, why do we emphasize his so-called blackness? Why not herald him as our first mulatto or biracial president? Why do we feel the need to classify him by selected phenotypic features (e.g., his skin color) in the first place?

In a recent online news article, Melissa Harris-Lacewell (now Melissa Harris-Perry), associate professor of Politics and African American Studies at Princeton University, discusses how "race" as a social construction functioned in the 2008 presidential election. Having observed that Obama's identification of himself as "black" on his recent census form has resulted in criticism across the "racial spectrum, Harris-Lacewell adds that Obama's decision provides a lesson "on the social construction of race."[10] Within about two years, Obama has had thrust upon him "decades of multiple racial formations."[11] For example, some quarters worried whether he was sufficiently "black" to secure the African American vote. However, when Obama's association with the Rev. Jeremiah Wright became the top news story, the concern moved to "whether Obama was 'too black' to garner white votes."[12] In the last few months of the campaign, Obama's detractors "charged that he was a noncitizen, a Muslim, and a terrorist. In less than two years a single body had been subjected to definitions ranging from insufficiently black, to far too black, to somehow foreign and frightening."[13]

Harris-Lacewell's commentary highlights the arbitrary nature of racial labels, and alerts us to the potential dangers involved when subjects are socially constructed via dominant discourses motivated by and designed with a view toward self-serving economic and political agendas. That terrorists are the new enemies of the state, and a person comes to be seen as a terrorist due to phenotypic features or because his or her name "sounds Muslim," is not a particularly inviting state of affairs for those who happen to share the characteristics defining the target group.

Harris-Lacewell makes another significant point regarding racial discourse and group identification. According to her interpretation, Obama chooses very specific reasons to identify as "black" even though his Ivy League education, upbringing, and cultural experiences correspond with commonly held "whiteness" tropes. Having served as a lecturer at the University of Chicago Law School, Obama is thoroughly conversant with America's history of racial discrimination against those categorized legally and otherwise as "black." For example, the "one-drop rule" was originally invented by slave owners to ensure the enslavement of children born from relations between white slave masters and black slaves. This "rule," unique to America's construal of "blackness," was sufficient to establish a person as "black" even if he or she could pass as "white."[14] Even though chattel slavery throughout the United States had been abolished at last through the passing of the Thirteenth Amendment in 1865,[15] public segregation of schools, housing, restaurants, and places of employment continued into the 1960s. With deep awareness of these social realities, Obama's self-identification as "black" on the census form "was a moment of solidarity with these black people and a recognition that the legal and historical realities of race are definitive, that he would have been subject to all the same legal restrictions had he been born at another time."[16] Thus, Obama's act was an acknowledgment of the social reality of "race," and an embrace of "blackness, with all its disprivilege, tumultuous history and disquieting symbolism. He did not deny his white parentage, but he acknowledged that in America, for those who also have African heritage, having a white parent has never meant becoming white."[17] For a person of mixed racial heritage, the intricacies involved in the decision-making process of something as seemingly innocuous as a census form show that race-related issues—from the "logic" of racial classificatory schemas to how one's sociocultural identity is established—are still very much a part of our daily lives, even if less visible and structurally more difficult to detect than Jim Crow legislation.

Undeniably, the United States has come a long way from the days of chattel slavery, and we can be encouraged by the positive strides made in racial relations and equality; yet, it is important to remember where we came from in order to avoid repeating past mistakes and so that we might become critically alert to new manifestations of racism and racial bias.[18] Here we would do well to heed the words of Frederick Douglass's 1852 oration, "What to the Slave is the Fourth of July?" Having accepted an invitation to address a predominately white audience in celebration of Independence Day, Douglass, as master orator and rhetorician, turns to a Psalm of lamentation—a passage with which his audience was thoroughly familiar—and interprets it as analogous to the situation of American slaves.

Douglass begins with the following lines: "By the rivers of Babylon, there we sat down. Yea! we wept when we remembered Zion. We hanged our harps upon the willows in the midst thereof. For there, they that carried us away captive, required of us a song."[19] The captors, having accomplished their mission, now command their Jewish captives, whose eyes still tear up when they recall Zion, to sing one of their native songs. To this obtuse, insensitive demand, Douglass, speaking the "plaintive lament of a peeled and woe-smitten people,"[20] asks, "How can we sing the Lord's song in a strange land? If I forget thee, O Jerusalem [...] let my tongue cleave to the roof of my mouth."[21] Always poised and ready, like Socrates of old, to turn his public-speaking invitations into opportunities to provoke and to challenge the ethicopolitical status quo, Douglass condemns his fellow citizens' superficial "national, tumultuous joy" in celebration of America's so-called freedom and independence. In fact, earlier in his speech, Douglass emphasizes the great "disparity" and "distance" separating him and his fellow citizens. The good fortune and "blessings" celebrated on this day do not apply to those of a darker hue. "The rich inheritance of justice, liberty, prosperity, and independence, bequeathed by your fathers, is shared by you, not by me. The sunlight that brought life and healing to you, has brought stripes and death to me."[22] Beyond the surface civility, the fanfare, and the laudatory refrains, Douglass remembers, Douglass hears "the mournful wail of millions, whose chains, heavy and grievous yesterday, are to-day rendered more intolerable by the jubilant shouts that reach them."[23]

With this example of what Foucault calls "reverse discourse," Douglass uses the familiar words of Scripture and says in effect, just as the Jews were taken captive by their oppressors and were forced to dwell in a land not their own, similarly African American slaves find themselves as strangers in a strange land where they have been constructed as the savage, as the intellectually inferior other in need of the white man's culture, "superior" reasoning abilities, and "moral" direction. Like the Jews exiled in Babylon, the most suitable song—the song corresponding to the violent, unjust, degraded existence of an African American slave—is not one of triumphalist jubilation, but one of sorrowful lament. For Douglass to gloss over this all-too-recent, contemptible American history because he is no longer in chains would be to turn a deaf ear to the "mournful wail of millions" and once again allow the white, hegemonic culture to write the black story. Moreover, Douglass reminds his audience—who, after all, function as analogues to the captors of God's people of old—that God's heart bleeds for the weak, the humble, the downtrodden. Though a merciful and forgiving God, divine justice unlike human justice will not, in the end, be mocked.

Both Frederick Douglass and Frantz Fanon knew firsthand the pain and injustice of living as the "black" other in a "white" racialized society.

Yet, they were able to work within the constraints of oppressive sociopolitical contexts and to perform acts of resistance, allowing them to assert their humanity and to create new self-narratives. Of the various ways in which a racialized subject may resist the scripted identity forced upon her, subject renarration is, for my purposes, of particular interest. Such creative, self-(re)forming acts of resistance, as I shall show, presuppose subjects who possess cognitive and volitional capacities that are universal, transcultural, and common to all human beings.

The relationship between social construction and human freedom is a central theme of my present study. In order to better understand this relationship, I shall explore the interplay between these two poles of human experience by engaging several dialogue partners, spanning three intellectual traditions and historical periods: postmodern, modern, and premodern. My hope is that by the end of our conversation, we shall have come to see how intimately related social construction and self-construction are and to think differently about one, the other, or both facets of our common life under the sun. With these introductory remarks in place, let us turn to a more detailed examination of several key concepts, categories, and terms.

Social Construction and the Question of Agency

As a segue to a more overtly philosophical discussion of what we mean by the term "social construction," which will then enable us to better understand what it means to claim that "race" is a socially constructed concept, I shall comment briefly on a passage from Fanon. Describing how "black" subjectivity in a colonized context is socially constructed and comes to function as an imposed hermeneutical lens for black experience, Fanon explains that the black man cannot simply be black, but rather "he has to be black over against the white man."[24] While some detractors, including philosophers, retort that "this situation works both ways,"[25] Fanon counters that this claim is false, as it fails to take into account the systemic nature of a racialized society and the consequent asymmetry of the black/white relation.

> The black man has no ontological resistance in the eyes of the white man. From one day to the next, Negroes have two systems of reference from which they must take their bearings. Their metaphysics, or less pretentiously, their customs and the agencies to which they referred, were abolished because they were in contradiction with a civilization of which they had no experience and which was imposed upon them.[26]

Here, like Douglass, Fanon highlights how the black person is scripted by the white other who always serves as the standard by which blacks are measured, judged, and evaluated. As mentioned earlier, Fanon, however, brings out an additional element: namely, the asymmetry that exists between the dominant and subjugated group in a structurally racist society. In such a context, a white man and a black man engaging in the very same act are interpreted, judged, and treated in vastly different ways. Moreover, as Fanon observes, the black person is forced to live in two worlds. First and foremost, he must learn to live in accord with the dominant world imposed upon him by the white other; he must embrace the other's language, cultural values, and customs as normative for him. Second, since he knows that his own history and cultural heritage have their roots elsewhere, their contents negated and rewritten so as to always fall short of the white man's standard of "all things white," he senses a loss, a lack of being, as it were. He experiences existentially his otherness in all its reality, but as a black man living in a white world; he experiences his otherness as a void, a nothingness in a world where being for the white other is always excess, plenitude.

In both the passage from Fanon and the excerpt from Harris-Lacewell, "race," "blackness," "whiteness," and "black" subjectivities are described as instances of social construction. The terms "social construction," "constructionism," and similar phrases are commonplace in much of the current philosophical literature on "race," gender, and sexuality. For example, most contemporary philosophers of race argue that "race" is not a natural, biological kind—a widely held belief that came to fruition in the nineteenth century.[27] In contemporary critical race theory, this former view of "race" goes by a variety of names: "racialism," "biobehavioral essentialism," "racial essentialism," and so forth. Given the widespread rejection of this position among race theorists, it is important to have a clear idea of precisely *what* the position entails. Ron Mallon presents a concise explanation of the three aspects of racialism or what he calls biobehavioral essentialism.[28]

Races were believed to share *biobehavioral essences*: underlying natural (and perhaps genetic) properties that (1) are heritable, biological features; (2) are shared by all and only the members of a "race"; and (3) explain behavioral, characterological, and cultural predispositions of individual persons and "racial" groups.[29] Although there are significant points of disagreement among scholars engaged in these studies, there is, as Mallon highlights, a general consensus among philosophers of race, sociologists, and biologists that "races do not share such biobehavioral essences."[30] Perhaps the strongest piece of evidence against racialism is the conclusion arrived at in recent scientific studies of intra- and intergroup genetic variation. As the study of genetics gained prestige in scientific circles, those adhering to racial essentialism turned to this new field, believing that the differences among races must be the result of underlying genetic discrepancies. However, "studies of human genetic diversity suggest that genetic variation within racially identified populations is as great as or greater than diversity between populations."[31] In light of these findings, the possibility of confirming a distinct racial essence "shared by all and only members of a race" is highly improbable.[32]

Even with a general consensus among philosophers of race concerning the untenability of racialism, debates abound as to whether racial discourse should be retained given the negative purposes for which it has been utilized. In light of the abundant evidence against a biobehavioral essentialized notion of race, many race theorists argue for what Mallon has labeled "*racial skepticism*, the view that races do not exist at all."[33] Others, however, believe that although an essentialized, hierarchical view of race must be rejected, racial language, nonetheless, should be salvaged, albeit purged of its negative history. This second group defends what Mallon calls racial constructionism. On this view, "race" is a social construction and thus exists as a *social*, rather than a natural, kind.[34] Racial constructionists hold that the notion of race as a social kind plays a crucial role in establishing, maintaining, and developing a group's identity; consequently, it as well as racial discourse should be preserved. Last, Mallon discusses a third position, racial population naturalism, which claims that "races may exist as biologically salient populations, albeit ones that do not have the biologically determined social significance once imputed to them."[35]

Those advocating "race" as a social construction—and I count myself among this group—could articulate their position along the following lines. A "racial" designation conferring a social and conventional status such as "black," while not picking out a natural kind, could be predicated of Malcolm in a particular society at a particular time, if it is the case that Malcolm meets a set of criteria that includes but is not reducible to possessing a shared set of phenotypic features with other (and only) members designated as "black." On this model, "racial" categories or groups are neither fixed nor transcultural; rather, they change over time within and across cultures and societies, as do the criteria by which, at least temporarily, they are established. For example, in the United States, "blackness" has been defined historically in relation to the previously mentioned one-drop rule. In the early 1900s, if an individual was one-eighth black, having one great-grandparent of African descent, that individual was called an "octoroon" and was legally classified as "black." Such a person typically passed as "white." That is, he or she did not exhibit the phenotypic features associated with "black" people in early-twentieth-century America. With the ruling in the 1967 Supreme Court case *Loving vs. Virginia*, the one-drop rule lost its legal force; consequently, contemporary Americans with African ancestry who pass as "white" may choose to identify as "black," "white," or biracial. Here we see "racial" categories changing over time within the same society. However, outside of the United States, because the one-drop rule is a phenomenon unique to America, people from other countries often have a difficult time comprehending how a person can be legally classified as "black" when he or she passes as "white." Thus, "racial" denominations and the criteria establishing these labels are not transcultural or static, but historically contextualized and dynamic. One final and important point is that "racial" designations are not reducible to the possession of shared phenotypic characteristics. For example, in twenty-first-century America, all and only those having brown hair, brown eyes, and freckles do not constitute a "racial" group or identity. Thus, shared phenotypic features may be a necessary but not a sufficient condition for "racial" classifications.

My purpose here is not to enter into debates among "racial" skeptics, "racial" constructionists, and "racial" population naturalists but rather to articulate in broad strokes my use of the term "social construction" in order to discuss how various thinkers have come to understand subjectivities, identities and concepts as socially constructed and whether or not or to what degree human agency is compatible with some variant of social constructionism.[36] In particular, I am interested in understanding how identities or subjectivities and concepts such as "race" and "black" arise, how they are sustained and eventually become ossified historically, and what role various sociopolitical institutions, discourses, and cultural practices play in their formation and maintenance.

As a provisionary starting point, it is helpful to think of social construction as analogous to the production of artifacts.[37] Broadly put, an artifact is an object designed and created by a human agent for a specific purpose or set of purposes. Such objects include handcrafted bookshelves, Rublev's icon of the Trinity, Cézanne's painting, *Le Cabanon de Jourdan*, and Dvořák's *Symphony No. 9 in E Minor*. Here we have reasonably unobjectionable instances of objects designed and produced by identifiable agents. However, when we consider Western tonal music, the modern state, or human language, we encounter artifacts whose specific intentional and originary agents are difficult if not impossible to identify. Nonetheless, in the second group of examples human agency is no doubt involved and the emergence and maintenance of each involves reference to historical and sociopolitical practices, customs, and traditions. Similarly, as Sally Haslanger explains, certain categories of individuals "count as social constructions because the conditions for being a member of the kind or category include *social* (properties and) relations."[38] For example, to be considered (legally and officially) adopted obtains only in a society that recognizes the status of legal adoption and has the social and political structures in place to facilitate such practices. Just as agents produce artifacts for various purposes, so, too, identities, subjectivities, and concepts are constructed intentionally as well as unintentionally through discourses, institutions, traditions, and sociopolitical practices.[39]

With this sketch in place, let us turn again to Fanon in order to illustrate more concretely how human subjectivities—like artifacts—are constructed. As Fanon explains, in a mostly black community in the Antilles, he neither identified nor saw himself as a "black" subject; however, once he entered a predominantly white sociopolitical context where the category "black" is assigned in advance multiple negative meanings, a confrontation with racially scripted phenotypic differences was unavoidable.[40] Fanon likewise narrates how a particularly painful racial encounter on a train was a breaking point for him. That is, although he resisted repeatedly the ascriptions imposed upon him by the dominant discourse, he eventually gave in and began to internalize the white-defined view of the black other: intellectually inferior, culturally incompetent, an object to be fixed. Fanon's point, in other words, is to emphasize how social discourse can function to construct a particular subjectivity or identity. Here we have a subjectivity, "black," that was constructed in a specific sociohistorical context through discourse, as well as institutional practices, legal structures, and so forth. There is nothing intrinsic to the subject that corresponds to the fictive identity created by the dominant discourse; yet, because the society itself—its laws, its institutions, its social practices and customs—is, in this case, structured racially, those who have been labeled "black" can and often do come to see themselves as possessing at least some of the characteristics that have been ascribed to them. As Haslanger observes, our social "classificatory schemes" do not simply "map preexisting groups of individuals"; rather, our social categories and labels "have the power to both establish and reinforce groupings which may eventually come to 'fit' the classifications. In such cases, classificatory schemes function more like a script than a map."[41]

As a foretaste of what is to come, none of what I have said thus far regarding social construction should be taken to mean that an individual is completely socially determined or unable to resist or reconstruct his or her subjectivity. The topic of resistance will be discussed at length in subsequent chapters. Here my aim is simply to provide a general outline and examples of my use of the term "social construction" in order to establish a broad, yet dynamic framework for the textual analyses that follow.

If subjectivities such as "black," "middle class," "developmentally challenged," and the like are socially constructed and social construction does not equal complete social determination, then some kind of human agency seems necessary in order to resist the imposed categorizations and to reconstitute one's subjectivity. In the broadest sense of the term, an agent is simply one who acts. The difficulty, however, is to determine whether or to what degree an agent—and here I have in view a *human* agent—acts as the result of his or her own uncaused, free decisions rather than as the result of compulsion. In certain philosophical quarters, these differences are articulated under the general headings of "determinism" and "libertarianism." Roughly speaking, the determinist holds that every event has a cause, which means that my choosing or doing a particular action is determined by some antecedent natural state in conjunction with natural laws.[42] The hard determinist believes this to be the case and concludes that human beings do not possess free will; consequently, moral responsibility for one's actions becomes highly problematic.

Alternatively, soft determinists or compatibilists affirm some sense of human free will and attempt in various ways to harmonize freedom and determinism. To understand this position, it is helpful to consider two cases. The first case involves some sort of compulsion or constraint. For example, if Dmitri's confession of a particular crime came about because his interrogators threatened to shoot him should he say otherwise, then his choice was compelled. In such a situation, the agent does not act freely. The second case involves a person choosing as the result of a causally determined series; nonetheless, the person does act freely and is thus morally responsible for her actions. For example, Anastasia, an avid lover of coffee, enters a room where fresh coffee is brewing, smells the coffee, then begins to desire the coffee, and eventually drinks a cup. Here Anastasia's act is in no way compelled or constrained even though her choice is the result of a causal chain of events. Although I have presented simplified versions of the two previous positions, they, as well as the libertarian position, come in multiple varieties. A common thread, however, among libertarians is a desire to preserve a robust sense of human free will by positing that free choice is neither causally determined by anything other than the agent nor uncaused and purely random.[43] Typically, a libertarian holds that in order to choose or act freely, the agent must have been able to choose or act otherwise than he or she actually did. Moreover, this ability to choose or act otherwise is understood not as a mere logical possibility but in a much stronger sense.[44] A medieval libertarian like John Duns Scotus presents an account of human freedom that appeals to both the ontological structures of the agent (e.g., the will) and to the agent's experience of acting and choosing freely. The human will—unlike a natural phenomenon or what Scotus calls a "nature"—is a free, self-determining, active power, which, as such, operates contingently rather than necessarily. According to Scotus, even when an agent chooses at a particular moment, for example, to love rather than to hate, she still possesses the capacity or potency at that *same* moment to hate or to be indifferent or to act in a myriad of other ways.[45] In other words, Scotus's claim is that for every act or choice made, an unactualized real possibility (or set of possibilities) is always present and could in fact be actualized.

A (Post)Modern-Premodern Dialogue

Having now provided a basic framework for analyzing social constructionism and contrasted libertarian with deterministic conceptions of human freedom, I want to focus more specifically in the following pages on how these topics relate to my critical discussion. My interests lie in bringing Michel Foucault's work into conversation with the works of Frederick Douglass, Frantz Fanon, and John Duns Scotus. However, I am not interested in a one-way dialogue, but in a reciprocal exchange in which the strengths and weaknesses of each dialogue partner surface in order to see whether, to borrow Hans-Georg Gadamer's term, a "fusion of horizons"[46] might be possible. In other words, I believe that these postmodern, modern, and premodern representatives have something valuable to say to our contemporary situation, and that we ought to be attentive not only to current and recent insights but also to the voices of the past.

Although each of the thinkers I engage has distinct projects, aims, and wide-ranging presuppositional and methodological commitments, I contend that *none*—including Foucault—advances a position of social or any other type of determinism that either cancels human agency or eliminates human freedom and moral responsibility. Admittedly, Foucault's understanding of freedom and agency is not the same as Scotus's. Likewise, Douglass and Fanon appeal to human nature in order to bolster their moral critiques in a way that appears (at least initially) completely incompatible with Foucault's thought. Thus, part of my task will involve delineating the various ways each thinker understands and articulates—either implicitly or explicitly—human being, freedom, and social conditioning and how these relate to and affect our moral, ethical, and political responsibilities as social beings in this world. Another important aspect of my study is to elaborate strategies of resistance. Foucault, Douglass, Fanon, and to some degree Scotus engage in counterdiscourses, as well as nondiscursive practices, in order to critique accepted values, institutions, and customs of the (dominant) societies in which they lived and to offer alternative ways of being-in-the-world with others. More specifically, Douglass, Fanon, and Foucault claim that even in extremely oppressive contexts it is possible for an agent to resist the dominant group(s) or discourses through subversive actions that involve self-(re)invention. Douglass, for example, describes the ways in which slaves interrupted work routines and created coded languages through song to express the intense emotions they experienced as a result of their being treated as slaves. Fanon emphasizes the historical contingency of racially scripted black identities and encourages blacks (and whites) to reject these pregiven narratives and to begin writing new ones. Foucault, especially in his later writings, argues that power relations are not solely characterized by domination or oppression but are the conditions for the possibility of resistance, personal and social reform, and other positive actions. He describes relations of power as "mobile, reversible, and unstable," and states unambiguously that "power relations are possible only insofar as the subjects are free. [. . .] in order for power relations to come into play, there must be at least a certain degree of freedom on both sides."[47]

Notwithstanding the differences among their accounts, the tactics these thinkers advance for resistance and creative self-invention at a minimum presuppose—or so I shall argue—that the resisting agent possesses nonconstructed cognitive and volitional capacities. Of all my interlocutors, Scotus, in particular, articulates the, shall we say, "thickest" account of human freedom. That is, according to Scotus, a robust ontological notion of freedom is essential to what it is to be human, and this ontological freedom functions as the condition for the possibility of moral and political freedom. Furthermore, and quite in harmony with the tonal center of my project, Scotus's ontology of human agency or "thick" anthropology provides a way to respond to sociopolitical issues such as slavery and the exploitation of human beings. In fact, based on his conception of human freedom, Scotus articulates a powerful argument against slavery, characterizing it as an act of fundamental violence against what it *is* to be human.[48] Likewise, with Fanon and Foucault, Scotus argues vehemently for the contingency not only of our experience in the world, but of our very existence itself. With these things in view, my reasons for choosing these particular diverse and rather unlikely dialogue partners, I hope, has become clearer.

A central claim of my study is that Foucault's analyses of the relationship between socially constructed identities or subjectivities and human agency are substantiated and complemented through a textual dialogue with the works of Douglass and Fanon. Even though there is significant overlap among these three thinkers with respect to resistance possibilities, the productive elements of power, and the contingent character of our subject formation, one crucial difference emerges in the realm of ethical critique and moral evaluation. Fanon and Douglass make explicit moral judgments and condemnations of racism, slavery, and colonizing practices; whereas in Foucault's analyses, overt, transhistorical, and transcultural ethical judgments of this type are largely absent. There are, however, implicit and often unacknowledged ethical claims and assumptions interspersed throughout Foucault's writings; in fact, statements of this kind are conspicuous in his later essays and interviews.[49] For example, in his interview with J. D. Gauthier (1984), entitled "The Ethic of Care for the Self as a Practice of Freedom," Foucault claims that open, reciprocally beneficial relations, such as pedagogical relationships, are preferred to power relations of domination.[50] Yet even in Foucault's earlier works, such as *The History of Madness*, he gives a strong impression that his support lies with dominated, oppressed, and marginalized members of society.[51]

Despite their divergent methodological and sociopolitical aims, I explore how the ethical critiques of Fanon and Douglass, as well as the "openings" in Foucault's thought—his implicit moral claims, his discussion of free subjects, and his emphasis on self-invention—are complemented and strengthened through a dialogical engagement with my modern and premodern dialogue partners. In short, my project is an attempt to harmonize where possible the insights of Foucault, Douglass, Fanon, and Scotus. If such a harmonization of, on the one hand, modern and postmodern claims regarding social construction, and, on the other hand, a premodern-inspired "thicker" anthropology can in fact be carried out, it would of course *not* be a mere repetition of any of the above; rather, it would involve taking up the premodern past (re)shaped, attuned, and chastened by the philosophical, sociological, cultural contributions of modernity and postmodernity, particularly the contributions of those muted voices of the socially, politically, and economically marginalized. It would, in short, be a mutually (re)shaping, constructively critical dialogue, synthesizing the best of all three "worlds."

Bringing these diverse thinkers into dialogue shall enable me to highlight strong and weak aspects of their respective projects. Here the terms "strong" and "weak" describe the degree to which their projects (1) evince an awareness of the cultural and social forces shaping our subjectivities, and (2) proffer an account of human beings supporting strong moral critiques of exploitative, inhumane, unjust actions against their fellow humans. By delineating from the outset these representative positions with respect to the aforementioned criteria, I can then revisit these issues in later chapters in order to explore how the salient points of each may be synthesized. Now that I have clarified what I mean by "race" as a social construction, delineated categories for understanding human agency, and explained the logic behind my selection of dialogue partners, I turn now to my first elaboration, or better, improvisation, on Foucault's texts with a view to hearing anew his musings on power relations, freedom, resistance, and a decentered yet in-no-way-dead subject.

CHAPTER 2

Foucault and Subjectivities

Sketching Foucault's Project

What do madness, delinquency, sexuality, and Christian confessional practices have in common? All have been topics of Michel Foucault's genealogical inquiries, and all, whether directly or indirectly, manifest his interest in subjectivities and the interplay between self-formation and the cultural practices, institutions, and public discourses that shape us. Although scholars continue to debate how precisely we should understand the relationship between his early and late works, as well as the coherence of his project in general, Foucault himself identifies a thread running through his work for over two decades. One of his central aims has been to provide a genealogical outline of the ways that humans discover, expand, and produce knowledge about themselves through various discursive and nondiscursive practices.[1] Rather than accept uncritically the knowledge claims of scientists, psychiatrists, and specialists, Foucault's analyses challenge their assertions and show how their current status and influence in contemporary society result from a contingent collision of manifold sociohistorical and cultural strata. Beginning with present socially constructed subjectivities—the deranged, the deviant, the delinquent—Foucault retraces their emergence from the present backward. This retracing activity speaks of one aspect of Foucault's methodology, namely, his historical or, as he puts it, genealogical method. The aim of genealogical inquiry is to show how the convergences of particular historical events, discourses, and myriad other contingent factors transform social and cultural practices, creating new concepts, subjectivities, and ultimately new historically shaped, overarching epistemological grids—or to use Foucault's terminology, epistemai. These epistemai are constituted by various conditioning rules or historical a prioris, themselves historically shaped and open to change. The configuration of these conditioning rules in a particular historical period—classical, renaissance, or modern, for example—determines what can or cannot appear as possible instances of true and acceptable discourse, socially recognized and approved practices, and so forth.

In his studies of the social construction of sexuality—that is, the notion of sexuality—we encounter a helpful example of how Foucault employs his genealogical methodology. Foucault argues that contemporary culture is obsessed with sex-talk and, consequently, has transformed sexuality into a discourse with grandiose promises of self-knowledge and self-fulfillment. Confessional technologies, inaugurated in early Christianity and developed extensively during the Middle Ages, likewise involved verbalizing one's inner thoughts and desires. Here the function of self-renunciation in Christian technologies of the self must be stressed. That is, whether through verbal exchanges or dramatic rituals, self-revelation and self-growth required some degree of self-renunciation.[2] On Foucault's genealogical reading of the tradition, although the practice of verbalizing one's inner desires and hidden thoughts was carried over into modernity, its transposition into a secular context came with significant alterations. In other words, rather than jettison talking cures, the human sciences have preserved these medieval verbalizing techniques, replacing renunciation of the self with the promise of producing a new, positive self[3]—a self unburdened with the negative, or as Nietzsche might put it, nay-saying tendencies of Christianity.

With the shift from acceptance of an unnatural-yet-fallen human condition requiring continual self-renunciation to the embrace of self-(re)formation by purely human means, a significant rupture emerges between Christian and Enlightenment paradigms. For the former, confessional practice is an ongoing dying to self, an acknowledgment of one's need for divine aid to renew the self.[4] For the latter, the self is more or less intact and able, either autonomously or, if necessary, through the assistance of professional experts, to uncover its hidden potentials and to achieve its highest aims. Foucault, however, is skeptical of such grandiose claims. Given his critical remarks about the modern self, in what precisely does his own view of the self or subjectivity consist?

A Decentered, Dethroned, but Still Alive and Kicking Subject

Some commentators have concluded that Foucault's views on the subject are highly problematic and perhaps even fatally incoherent.[5] Others argue that Foucault's understanding of the subject underwent various inflections and alterations as the result of dialogue with other scholars and continued research. On this view, although ambiguities remain and further explorations are required, we must distinguish between Foucault's early and late writings on the subject,[6] paying careful attention to the shifts of emphasis in his more mature analyses. One commentator, Peter Dews, has offered rather stringent critiques of Foucault's project; in particular, according to Dews, because Foucault's subject is socially constructed through and through, it fails to allow for genuine resistance possibilities.[7] As Dews observes, one of the main ethicopolitical, as well as philosophical, problems with a thoroughly constructed subject is that it renders the notion of emancipation unintelligible.[8] In other words, if we are nothing more than products or effects of particular sociohistorical power configurations, then in what sense are we free or capable of resisting oppressive regimes, institutions, and practices? Likewise, does such a view necessitate a more-or-less reactionary and ultimately defeatist existence for those on the subjugated or oppressed pole of the power relation? For Dews and many other scholars, Foucault's view of the subject and power throughout the 1970s created unsolvable problems along the lines just mentioned. In light of Dews's analysis and others in this vein, the fairly strong scholarly consensus has emerged that Foucault's recognition of the insurmountable difficulties inherent in his view prompted him to significantly reformulate his understanding of subjectivity. In other words, what is needed is a view of subjectivity that is not inimical to freedom, but rather protects and upholds it, thus creating a space for various resistance and emancipatory openings.[9]

Other scholars acknowledge a new dimension in Foucault's late work; yet, they also see strong lines of continuity with his earlier analyses. That is, rather than interpreting his late work on the subject and power as constituting a rupture with his earlier work, commentators such as Amy Allen and Kevin Jon Heller see Foucault's thought as developing in stages arising from sustained reflection on subject formation.[10] With each focused investigation, a different perspective is emphasized. For example, in writings such as *The Order of Things, Discipline and Punish*, and "What is an Author?" Foucault foregrounds the social construction of subjectivities, the subject as effect of specific sociohistorical configurations. Yet, as Allen observes, Foucault's position neither cancels human agency nor proclaims the subject's death. Rather, "he aims to uncover the historically, socially, and culturally specific conditions of possibility for subjectivity."[11] Foucault, in other words, has not completely written off the possibility of a subject; however, he wants, on the one hand, to emphasize the myriad ways that institutions, discourses, and other sociohistorical factors shape and form individuals as particular kinds of subjectivities. On the other hand, and correlative to his first concern, is his rejection of the subject as sovereign originator of meaning, as sole lord of his destiny. In place of a distinctively modern subject shielded from historical and cultural influences, Foucault's early works stress how institutions, cultural practices, and discourses influence our thinking and behavior—quite often apart from our conscious awareness. In his later writings and in a dialectical yet harmonious relation to these historically formed subjectivities, he gives more weight to the ways in which subjects constitute—or perhaps better, actively reconstitute—themselves.

Foucault's late work—his ethical or ethicoaesthetic period—returns to Greco-Roman self-technologies, examining various ancient self-disciplinary or ascetical practices. Because these studies emphasize an active, intentional subject engaged in purposed self-creation and self-(re)formation, some conclude that Foucault has seen the errors of his former ways and now attempts to resurrect the modern subject, the very subject that many claim he had put to death in earlier analyses. However, there is no reason that one must interpret Foucault's late works in this light. Rather, as mentioned previously, Foucault's ethicoaesthetic period brings to the fore an active subject, whose self-imposed disciplinary practices (self-technologies) allow her to renarrative her subjectivity and to create, as he puts it, a beautiful life.[12] These self-technologies, however, are not ahistorical; they arise from particular historical periods and are creatively reconfigured by the culturally conditioned subject. Clearly, the subject Foucault has in view is not a subject immune to history; yet, neither is this subject a mere effect of historical and cultural forces, unable to resist social shaping. Here it is worth highlighting that Foucault himself in his 1984 interview with Alessandro Fontana rejects emphatically the notion of a modern founding subject. To Fontana's remark that many critics have concluded that he has erased the subject, Foucault replies,

> I do indeed believe that there is no sovereign, founding subject, a universal form of subject to be found everywhere. I am very skeptical of this view of the subject and very hostile to it. I believe, on the contrary, that the subject is constituted through practices of subjection, or, in a more autonomous way, through practices of liberation, of liberty, as in Antiquity, on the basis, of course, of a number of rules, styles, inventions to be found in the cultural environment.[13]

In his reply Foucault highlights what we might call the "double construction of the subject." That is, the subject is both socially constructed and self-constructed. The subject has been dethroned or decentered, given the acknowledgment of social conditioning. Nonetheless, there is still a *subject* that is conditioned or constructed. Although he does not explain what it is about the human subject that makes self-construction or active self-fashioning possible, Foucault states explicitly that his view is opposed to the modern, founding subject. As he mentions in the passage just cited, his later, more explicit focus on the subject's self-construction was intimately related to his studies of ancient ethical practices. Foucault goes on to explain that certain "moralities of Antiquity [. . .] were essentially a practice, a style of liberty" in which an individual pursued ethics as a way of life ("an ethics of existence") in order to affirm his or her freedom.[14] Yet again we must not overlook the fact that these practices of liberation are themselves culturally and historically situated. "This elaboration of one's own life as a personal work of art, even if it obeyed certain collective canons, was at the center [. . .] of moral experience."[15] Thus, the subject as self-creating artist does not create ex nihilo but utilizes, improvises, and reconstitutes in innovative and at times subversive ways the "materials" of his or her cultural milieu.

To impose these interpretive categories upon Foucault's corpus—his earlier (subject-ification) and later (subject self-creation) emphases or stages—is *not* to claim that traces of *both*, namely, social construction and self-(re)construction, cannot be found throughout his oeuvre. Rather, what this last group of scholars argues is that the varied emphases at different stages in his work point to an intelligible development in his thinking—a development or expansion of his project that comes over time and through dialogic interaction with other scholars. By and large I align myself with this group of commentators. That is, I agree that in the course of his career Foucault does modify his position on certain issues; nevertheless, I also view his project as having a traceable and even dominant theme, namely, a concern with the formation, alteration, maintenance, and creative possibilities of historically contextualized sociopolitical subjects.

Foucault himself readily acknowledges certain inadequacies of his analyses and discusses frankly his attempts to address and correct them. In an interview with Lucette Finas, he explains that in *Madness and Civilization* and *The Order of Things*, he was operating within a traditional notion of power as "an essentially judicial mechanism, as that which lays down the law, which prohibits, which refuses, and which has a whole range of negative effects: exclusion, rejection, denial, obstruction, occultation, etc."[16] To this statement he adds that in 1971–72 through his personal involvement with prison reform movements, he came to see such a "purely negative conception of power" as deficient.[17] In part due to his own experience as a political activist, Foucault shifts from a judicial, largely negative view of power to analyses of power relations as involving both sociocultural and self-disciplinary technologies and strategies—a shift that surfaces in *Discipline and Punish* and is thematized in *The History of Sexuality*, volume 1.[18]

While he readily admits shortcomings in his earlier investigations, Foucault nonetheless considers his later explorations to be organically related to his earlier analyses.[19] In fact, he sees his life's work as having hovered over, circled around, and from multiple perspectives taken aim at roughly the same set of questions, "namely, the relations between the subject, truth, and the constitution of experience."[20] Whether analyzing madness, sexuality, or delinquency, he has sought to understand how each, as he puts it, "may enter into a certain play of the truth, and also how, through this insertion of human practice, of behavior, in the play of truth, the subject himself is affected."[21] Clearly, Foucault wants to stress the interplay between sociohistorical context and subject-making. On the one hand, with his acknowledgment of social construction, he indeed participates in the dethronement of the subject; on the other hand, however, in light of his later reflections on an active subject engaged in creative self-elaboration and renarration, he should not be charged as having contributed to the subject's death. Rather, with Amy Allen and other recent commentators and against a common misreading of Foucault, I conclude that most if not all of Foucault's condemnatory remarks concerning the subject are not intended as a death sentence for the subject per se; instead, his objective is to lay to rest a particular sociohistorical construction of the subject and subjectivity.[22] That is, Foucault's critique is directed expressly at the *modern* construction of an ahistorical, autonomous subject as sovereign originator of meaning, one untainted by one's own particular historical and sociopolitical context.[23] If we consider Foucault's own historical, philosophical milieu and the analytic he employs, we can begin to understand that his deconstructive blows are not meant for the subject *qua* subject; rather, his hammer seeks to shatter a particularly modern construction of the subject. As I shall argue, Foucault's decentered subject—notwithstanding his reticence to address the distinctive capacities of the human subject that his own account presupposes—provides an opening for constructive (and critical) dialogue with my modern and premodern dialogue partners, who offer in varying degrees a more robust account of human ontology and what I call *telic* freedom.

In order to better understand Foucault's interests concerning the subject's active and passive construction, I turn to a scholarly dialogue among feminist thinkers, as well as commentator David Stern's analysis in conjunction with this discussion. Drawing from the debate between feminist philosophers Seyla Benhabib and Judith Bulter, Stern sets forth a helpful distinction between a *situated* rather than a *displaced* subject. According to Benhabib, there are stronger and weaker postmodern theses where "strong" implies the total, "all the way down," social construction of subjectivities in contrast with only a partial construction entailed by the weak thesis. Benhabib concludes (and I agree) that the stronger postmodern thesis ultimately fails to provide the kind of emancipatory resources needed for feminist as well as other critical theorists addressing oppression and related concerns.[24] In the weaker variant of the postmodern thesis, although the subject is shaped by her culture and sociohistorical context, she nonetheless retains her ability to resist, reform, or reject cultural impositions and to reconstitute her own subjectivity according to purposed aims. In contrast, the strong view—held, for example, by Judith Butler—claims that the subject is socially constructed "all the way down."[25] As Stern explains, Benhabib opts for the weaker postmodern thesis wherein a situated subject is not a mere effect or ideological product of her world.[26] For Benhabib, we are no doubt influenced and formed by various cultural narratives and practices; yet, we are also actively shaping the narratives shaping us, or as she puts it, "[V]is-à-vis our own stories we are in the position of author and character at once."[27] Particularly in light of Foucault's later essays and interviews, one could make a solid case that Benhabib's situated subject resonates strongly with Foucault's doubly constructed subject.

Following Benhabib's author/character analogy, I propose the activity of jazz improvisation as a way to think about the situated or doubly-constructed subject. Jazz improvisers belong to a tradition that they themselves shape and by which they are shaped. The particular melodic lines they utilize, the musicians they imitate and "quote," the kinds of instruments they play—an electric rather than an acoustic guitar, a synthesizer rather than a piano—and even performance opportunities are all socially and historically conditioned. Nonetheless, the various ways in which they take up, reshape, innovate, and expand tradition/s, discourses, and sociopolitical practices highlights the active, self-fashioning aspect of the doubly constructed subject. In other words, though the improviser-subject is embedded in a sociohistorical milieu that forms her, given the kind of *being* she is, she can contribute to and even radically alter her context. As she willfully and intentionally works out these changes, innovations, and reconfigurations in dialogue with the tradition, her own subjectivity is likewise reconstituted.[28] Her musical voice, style, and signature come to be otherwise. The ability to maneuver within and utilize the very structures, mechanisms, and discourses shaping us for emancipatory, re-creative purposes sits well with Foucault's analyses of the subject.

Although these analogies may clarify certain aspects of Foucault's decentered subject, nonetheless several questions remain. For example, how are the two constructing poles related? Precisely what kind of agency and freedom does his position allow?[29] Likewise, if agency and freedom are preserved on Foucault's view, what conditions make these possible, and do those conditions presuppose or require a more ontologically robust view of the human person in order to safeguard the emancipatory and, as we shall see, ethical concerns that emerge from his analyses? In order to respond to these questions, we must examine briefly Foucault's understanding of power relations, freedom, and resistance.

Foucault on Power Relations, Freedom, and Resistance

Power is of course a major Foucauldian theme. It is, however, also a topic of much scholarly debate and disagreement. As mentioned earlier in this chapter, many scholars conclude that Foucault's notions of power and power relations leave us ultimately with a passive or at best a reactive "subject," a nonagent lacking genuine freedom and unable to resist oppressive cultural, political, economic, and other impositions.[30] Granting that Foucault's reflections on power and resistance developed over time through dialogical exchanges and recognition of his previous analyses' limitations, I shall appeal primarily—with the pivotal work *Discipline and Punish* serving as my launching point—to the late-middle and final phase of his thinking (1975–84). Foucault opens his 1982 essay "The Subject and Power" by discussing briefly his methodological approach to studying power relations. Rather than investigate general themes such as rationality in an ahistorical, decontextualized manner, Foucault takes a more local orientation, focusing on particular, concrete "rationalities" and their constitutive power configurations. As he explains, his way of examining power relations is

> more empirical, more directly related to our present situation, and [is one] which implies more relations between theory and practice. It consists in

> taking the forms of resistance against different forms of power as a starting point. To use another metaphor, it consists of using this resistance as a chemical catalyst so as to bring to light power relations, locate their position, and find out their point of application and the methods used. Rather than analyzing power from the point of view of its internal rationality, it consists of analyzing power relations through the antagonisms of strategies.[31]

In this passage, Foucault drives home the interrelation of power and resistance. That is, he suggests that the best way to begin to grasp what he has in mind with power relations of the productive and not merely repressive sort is to analyze various resistance tactics occurring in particular localized historical contexts. As we shall see, to Foucault's mind, power relations and resistance are essentially linked. In fact, they are correlative concepts.

A few pages later, Foucault likens his own project, and the present task of philosophy generally, to Kant's inquiries in his 1784 essay "Was heißt Aufklärung?" According to Foucault's reading of this essay, Kant's concern was not to define the nature of *Aufklärung*, but rather to ask, "What are we? as *Aufklärer*, as part of the Enlightenment?"[32] Following Kant's lead, philosophers today must likewise ask what or who we are at this particular moment in history. This is not to suggest that other aspects of philosophy should be ignored; however, Foucault wants to ensure that "the task of philosophy as a critical analysis of our world" and the pursuit of uncovering and discovering who we are at this particular juncture in history remains a central concern of philosophical investigations.[33]

It is not necessary to conclude that Foucault's stress on concrete, historically situated subjectivities precludes the possibility of applying his insights to more traditional philosophical topics.[34] Instead, one could interpret Foucault's local emphasis as a needed corrective to those Enlightenment thinkers who failed to take seriously the complex ways that cultural, political, and other historically specific factors influence scientific and philosophical claims. Because Foucault's statements about power relations—power is a "multiplicity of force relations," "power is everywhere," there is no outside to power,[35] and the like—have been misinterpreted as primarily repressive, dominating, agency-nullifying, and exploitative, I turn now to a detailed analysis of some of Foucault's most conspicuous remarks concerning power relations. In addition, I engage some recent commentators who understand Foucauldian power relations as not merely oppressive, but productive as well.

In his essay "The Subject and Power," Foucault discusses his methodological approach to the study of power and explains that his interest lies with the "how" question. That is, he wants to know "'*[b]y what means is it [power] exercised?' and '[w]hat happens when individuals exert (as they say) power over others?*'"[36] The last part of this statement moves us closer to Foucault's central concerns, namely, power *relations*. While acknowledging the polysemous character of the term "power"—it can describe, for example, a person's capacities—Foucault's analyses of power highlight the ways in which it "brings into play relations between individuals (or between groups)," and how, within these power relations, human beings are shaped, transformed, and emerge as particular subjectivities. Yet, Foucault is quick to add that the exercise of power is more than relations between individuals or groups; "it is a way in which certain actions modify others."[37] Speaking against his critics,[38] he rejects the reification of power and denies that power exists "universally in a concentrated or diffused form," claiming instead that "[p]ower exists only when it is put into action."[39]

Power is neither a thing, nor a substance, nor "a function of consent,"[40] which is not to say that consent may not be involved in power relations and even required for the continued exercise of certain manifestations of power. Power may, of course, be exercised when consent is lacking or when one is unaware of the varied and particular effects of power relations. Yet, this does not mean that power relations are essentially characterized by violence, a negation of freedom, oppression, or domination. Having told us what power relations are not, Foucault then provides a helpful positive account. Concisely put, a power relation "is a mode of action which does not act directly and immediately on others. Instead it acts upon their actions: an action upon an action, on existing actions or on those which may arise in the present or the future."[41] With this description, we can begin to understand how power relations can be both positive and negative. As a positive example, a piano teacher may assign her student specific scale and arpeggio exercises for daily practice in order to improve the student's technique and thus enable her to perform a new and challenging piece. The student practices the exercises religiously, improves her technical abilities, and is elated by the new freedom of expression gained through her teacher's guidance. As a negative example, a father may put excessive pressure on his son to play hockey—an activity requiring several hours of practice each week and one that the son neither excels in nor enjoys. As a result, the son's grades suffer, and he comes to resent his father's demands—demands that the son could have chosen not to obey. Although these are rather mundane examples, they illustrate the manifestations that power relations can take and the varying effects produced.

In order to explicate further his conception of power relations, Foucault compares and contrasts it with what he calls a "relationship of violence." As he explains, a relationship of violence is characterized by force—"it bends, it breaks on the wheel, it destroys, or it closes the door on all possibilities. Its opposite pole can only be passivity."[42] In contrast, a power relation requires two essential elements in order to be a power relation in the Foucauldian sense. First, "'the other' (the one over whom power is exercised) [must] be thoroughly recognized and maintained to the very end as a person who acts," and second, a field of "responses, reactions, results, and possible inventions" must remain viable for the one over whom power is exercised.[43] Central to a relationship of violence is that it makes resistance possibilities impossible or at least so limited that the person against whom the violence is exercised cannot positively change his or her present situation.[44] For instance, a person bound in chains and left to starve to death in a prison cell serves as an example of the negative, receiving pole in a relationship of violence. Here the prisoner's options are closed off; he can do little, if anything, to change his situation for the better. Barring a miraculous intervention, his bondage will eventuate in death. Relationships of violence are detrimentally asymmetrical—with the violent, active partner determining what will or will not take place. The potential for a reversal in such a relationship or for reciprocal constructive transformation is minimal, if it exists at all.

In contrast, a relationship of power, though also asymmetrical at least to some degree, is open, reciprocal, and mutually transformative. This is not to deny that power relations can take a negative turn and morph into dominating relations; nonetheless, dominating relations that often involve violence still fall within power relations but are, as it were, pressing the limits of power relations. Although some may object to my inclusion of dominating relations within the category of power relations, my reasons for doing so are both compatible with Foucault's account and are especially important for emancipatory purposes. A slave,[45] for example, even though treated *as* property and perhaps, as was the case with American slaves, legally defined *as* property, still has a range of options and possible resistance maneuvers available to him or her. Unquestionably, a slave's field of possibilities is severely limited; yet, as we shall see with the case of Frederick Douglass, a slave can resist his or her master and the slave system itself via intentional disruptions of work routines, love affairs with his master's wife, seducing one's master, helping with the distribution of abolitionist literature, and so on.

But what about the other indispensable element Foucault cites as necessary for a power relation to obtain, namely, that "the other," in this case, the slave, "be thoroughly recognized and maintained to the very end as a person who acts"? Here we enter into the irrationality and self-deception involved in slave societies such as the institution of chattel slavery, which stains America's history. On the one hand, we find laws and even constitutional affirmation of the practice of slavery, as well as a general societal acceptance of slaves as property. On the other hand, white masters entrusted their children to slaves and assigned to slaves administrative and managerial tasks that only humans could accomplish. Such actions suggest that at some level those supporting slavery recognized that slaves were in fact human beings, even if greed and other vices blinded them to this reality.

Granting for now that dominating relationships such as slavery fall within power relations—albeit pressing their limits to the breaking point—does this example as a type of limiting case not indicate the (negative) direction in which power relations tend to move? Foucault answers explicitly with a negative reply. Here it is helpful to draw from Kevin Jon Heller's concise summary of Foucault's notion of power: "[P]ower is *transformative capacity* [A. Giddens's term], the ability of an individual to influence and modify the actions of other individuals in order to realize certain tactical goals."[46] Perhaps what is particularly surprising for those who equate power with repression is that power relationships can be understood as conditions for the possibility of change, whether personal or societal.

As we have seen, if the relationship is so one-sided, controlled by violence, force, or physical constraint that no genuine field of possibilities is open to the oppressed partner, then it is no longer a power relationship. In other words, since "*power is, for Foucault, coterminous with social change*,"[47] power and resistance are correlative. In *The History of Sexuality,* volume 1, Foucault makes explicit the reciprocal and integral connection between power and resistance: "Where there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power."[48] Then, after issuing several rhetorical questions dismissing common misinterpretations of his position, he explains further that the existence of power relations "depends on a multiplicity of points of resistance," and that " [t]hese points of resistance are present everywhere in the power network."[49]

Anticipating what has come to be a common criticism of his position—namely, that his notion of productive power relations is at the end of the day still a mere reactionary response to a hegemonic "other"—Foucault stresses the co-originary, correlative relational structure of power and resistance. To acknowledge that points of resistance exist only within genuine power relations is not to insist that we understand them as "only a reaction or rebound, forming with respect to the basic domination an underside that is in the end always passive, doomed to perpetual defeat."[50] Rather, because power relations presuppose free subjects, power and resistance are structurally interrelated; analogous to Siamese twins joined so intimately that to separate one from the other is to cause the other's death, points of resistance are "the odd term in relations of power; they are inscribed in the latter as an irreducible opposite."[51] Because power relations and resistance possibilities (both of which presuppose free subjects) coimplicate one another, the conditions for the possibility of genuine transformation, and thus the emergence of new social realities, are ever present so long as power relations do not morph into rigidified relations of violence. Consequently, as we shall see shortly through specific examples from *Discipline and Punish*, acts of resistance can save (and have saved) lives, alter legal practices, and, by way of reverse discourses, turn law-breakers into heroes or petty criminals into a pathological subgroup to be feared.

To sum up, given Foucault's notion of the reciprocal relationship between power and resistance, in instances where resistance options are quashed and effectually nonexistent, power relations cease. Moreover, by highlighting power and power relations as "transformative capacities," Foucault continues a Nietzschean-Heideggerian etymological practice. That is, he derigidifies the concept "power" (*pouvoir*) from its present ossified condition and allows its positive meaning to shine through historically amassed veils of negative associations. The French noun *pouvoir* derives from the verb of the same form, which is often translated as "to be able or capable" of, for example, performing some action. With this meaning of power in mind, Foucault claims that power relations allow possibilities for change to exist, surface, and become manifest. Of course, change can be for the better or the worse; however, this does not justify the reduction of power to its negative aspect only.

At this point, I want to make explicit what I left implicit in the discussion of the differences between relations of violence and power relations. More specifically, I want to focus on the role freedom plays in Foucault's understanding of power relations and the exercise of power. When Foucault speaks of "governing" individuals and societies, he appeals to the broad sense of the term. That is, governing and government in Foucault's application refer not simply "to political structures or to the management of states; rather, [government] designate[s] the way in which the conduct of individuals or of groups might be directed: the government of children, of souls, of communities," and so on.[52]

Power relations, as we noted earlier, involve ways of acting upon the actions of others. The act of governing in Foucault's sense is closely tied to relations of power; in fact, the two are inseparable. "To govern [. . .] is to structure the possible field of action of others."[53] Governing or government, rather than violence or consent (which no doubt can function as instruments exerting oppressive power relations) is the "relationship proper to power."[54] When one exercises power over another, she governs, directs, and guides that person's actions. For example, in a conservatory setting, music instructors create daily practice routines for their students, provide various outlets for student performances, offer constructive criticism, and suggest new practice exercises to help improve a student's technique. Here the relationship is neither violent—the two can in fact be close friends—nor necessarily based primarily on consent.[55] Perhaps the student was assigned to this particular instructor and had no say in the matter. Yet, the relationship does presuppose free subjects with the ability to choose or act otherwise. The student could, after all, refuse to work with an assigned instructor and drop out of school.

In his late essay "The Subject and Power," Foucault repeatedly emphasizes the importance and integral connection between power relations and free subjects. In fact, he claims that "[p]ower is exercised only over free subjects," that is, those "individual or collective subjects who are faced with a field of possibilities in which several ways of behaving, several reactions and diverse comportments, may be realized."[56] Foucault continues his discussion, stating explicitly that freedom is both a prerequisite and a constitutive component of power relations. Genuine freedom of some sort must be operative, he argues, because if the "possibility of recalcitrance" is either not present or rendered ineffectual via external coercion, the relation has devolved into one of violence—"power would be equivalent to a physical determination."[57] He then ends the passage with a rhetorical question, interspersed with standard Foucauldian provocative prose. The central concern of "power is not that of voluntary servitude (how could we seek to be slaves?). At the very heart of the power relationship, and constantly provoking it, are the recalcitrance of the *will* and the intransigence of freedom."[58] Here Foucault himself, by appealing to the will, provides precisely the opening needed for my synthesizing project.

Foucault does not, however, explain in what sense freedom is *both* what makes possible *and* what characterizes the nature of power relations. One possible suggestion—and one at which many postmodern and other critical theorists would cringe—is that freedom is a prerequisite of power relations in that it must be assumed as ontologically constitutive of the subjects constituting the relation. That is, the individuals who affect, alter, and impact the actions of others must possess a capacity—something like a will, or if one prefers, a volitional capacity—enabling them to choose to act in these ways. Second, freedom is a constitutive element of power relations in that one must actually do something—perform some action upon the actions of others—in order for the power relation to be actualized. In short, the freedom required for power relations to exist may be understood in two senses: (1) as an ontological capacity common to and constitutive of human agents, and (2) as the action/s performed by one (free) agent upon another (free) agent as a result of possessing this capacity to act freely. In the Western philosophical tradition, that ontological structure or capacity has been referred to as the human will. Even if the tone of Foucault's oeuvre, excepting the passage mentioned earlier, is to mute talk about the will, I contend that an ontological capacity of this sort not only harmonizes well with his account of power relations and resistance, but it or something like it also strengthens his position and prevents it from collapsing into incoherence.[59]

Although many contemporary theorists will find my suggestions here to be at crosscurrents with the general mood of Foucault's philosophy and with what has come to be mainstream dogma in large segments of our contemporary academic landscape, nevertheless, Foucault's later work leaves open the possibility of incorporating, appropriating, and harmonizing in a distinctively new key, traditional notions of a subject possessing nonconstructed ontological capacities. In fact, in the passage given earlier,[60] Foucault is not unreasonably interpreted as leaving the door open for the possibility of a volitional capacity unique to human beings—a capacity that allows him or her to resist impinging forces, drives, and desires from within and without.

One need not adopt a crass, mechanistic faculty psychology to embrace the position or trajectory for which I am arguing. Consider, for example, the fact that many natural objects, by virtue of their properties, have capacities to act in specific ways rather than others. For example, a small, fledging tree has the capacity to bend this way or that when in the presence of strong winds. However, the same tree does not have the capacity to uproot itself and to take shelter. Similarly, humans possess certain capacities, given the properties that constitute their kind, to deliberate about and then choose this action (e.g., to renarrate one's subjectivity) rather than that one (e.g., to accept a negative stereotype about one's group). Just as the tree's properties leave open whether the tree bends precisely in this direction or that under the influence of strong winds, so too a human agent's properties—here I have cognitive and volitional capacities in view—leave open whether she chooses this action or that (or even deliberate inaction).[61] In short, the aforementioned opening in Foucault's late reflections on the subject invites further exploration, as it suggests the possibility of an amicable union between premodern conceptions of the will and postmodern insights on socially constructed subjectivities.

Intentional Agents and Nonsubjective Maneuverings

Our analyses thus far should help to avert critical claims that the all-pervasiveness of Foucauldian power relations leaves no space for resistance. Rather, as we have seen, Foucault's understanding of power relations requires resistance possibilities, or else we are not dealing with relations of power at all. Moreover, Foucault is adamant that we become who we are not through necessity or even social determinism, but by way of multiple, sociocultural, and historically particular contingent factors. In light of the contingent character of our present constructed subjectivities, reconstructing or renarrating our subjectivities remains viable so long as we find ourselves in genuine power relations.

As Foucault would say, a society without power relations is a theoretical abstraction.[62] In other words, power relations constitute the very fabric of society; consequently, our investigations of these relations have significant sociopolitical import. That is, given our status as social and political animals, the better we understand who we are, who the other is, and how various subjectivities and identities have been constructed, the better chance we might have to live together in harmony while appreciating difference. Following Foucault's lead, we must seek to uncover how certain relations of power came about, why some became fixed or settled in particular societies, whereas others had a short life span. Having embarked upon an historical or genealogical analysis of various assumed stable identities, concepts, and the like, we then engage in what Foucault calls archaeological analysis. Here we operate not diachronically but synchronically, unearthing the conditions—in Foucauldian language, the historical a prioris—that have congealed so as to allow particular configurations of power, discursive practices, truth games, and so forth to emerge. Through our archaeologico-genealogical investigations, we can begin to see how various cultural and political narratives and alleged "natural" ways of being are not somehow necessary or ineluctable but rather are contingent, historically specific, and hence open to transformation.

Not only is it the case that our individual subjectivities are contingently constructed, but, as one would expect, the particular power relations that make up a society at a given time in history are likewise contingent, dynamic, and amenable to change. In fact, according to Foucault, the various economic, political, institutional, and other structures that constitute a society allow power relations to emerge, interlock, and form a nonhomogenous, complex whole. As Heller explains, "Foucault's term for the totality of these structurally-determined differentiations" or "mechanisms"—mechanisms that stand in a dialectical relationship with the exercise of power—is "diagram."[63] As power is exercised, it continually transforms the mechanisms constituting a diagram; consequently, the diagram itself is altered. Here it is important to stress that the transformations take place through the existing mechanisms. For example, resistance tactics employ and reconfigure already present institutions, laws, customs, and discursive practices. In short, they utilize for emancipatory, counterhegemonic purposes the sociopolitical "material" out of which that particular sociohistorical diagram has been constituted.

As Heller argues, Foucault has room for subjects exercising power as intentional agents and for nonsubjective maneuverings where power operates through unintended consequences. The latter arise from the overlap and interplay of intersecting (and at times annulling) power relations and other complex movements constituting the totality. Social and political transformations presuppose both power relations and the mechanisms and the totalities thereby produced. Although many scholars have puzzled over Foucault's seemingly paradoxical statement, "power relations are both intentional and non-subjective,"[64] Heller's interpretation highlighting Foucault's distinction between strategies and tactics removes this surface incoherence and renders the distinction intelligible.[65] On this reading, Foucault uses the terms "tactics" and "strategies" to mark whether or not an action is intentional. Tactics speak of a subject's or a group's willful, intentional action or actions, whereas strategies speak of "the unintentional—but institutionally and socially regularized—effects produced by the nonsubjective articulation of different individual and group tactics. Both tactics and strategies involve power, because both create social change; however, only strategies (understood in Foucault's technical sense) involve nonsubjective power.[66]

With this notion of subjects exercising power through mechanisms, which then facilitate and give rise to nonsubjective actions, Foucault puts his finger on one of the most difficult political problems of the modern and postmodern era. That is, he makes us aware of how the complex, even if contingent, interconnections between educational and religious institutions, economic practices and policies, and other crucial components of a power diagram become so intimately intertwined that they take on a life of their own—they form a suprasubject-like entity, which then "acts" at times contrary to the intentions of the subjects who created and sustain it. Stated otherwise, the history of the state, its institutions, and discursive practices extends into the past and operates in the present such that particular subjects find themselves already implicated in the life-history of each. Thus, given their complex genealogies and the causal lines that sustain them, institutions such as the modern state or the Supreme Court continue to exist even when their principal players die. The whole, in other words, is not reducible to its present (subject) parts. A corollary of the suprasubject-like character of power mechanisms follows: "[B]ecause they are structured and reproduced by a multiplicity of power relations that are not reducible to the individuals who exercise them, they are necessarily incapable of being controlled by any particular individual."[67] Because the complex interplay of power relations forming power mechanisms cannot be reduced to the individual subjects exercising power through them, a new subject-like entity emerges, so it appears, with intentions of its own.

On the one hand, as we have seen, Foucault construes power relations as essential aspects of society. In this sense, power is everywhere; there is no final exit from a power diagram; there is no place where power relations are not. On the other hand, from the all-pervasiveness of power, we need not descend into a nihilistic despondency, resigned to fate, convinced that the script and our assigned part are written in stone.[68] Foucault certainly did not fall prey to pessimism of this sort, and his texts, interviews, and life bear witness to his refusal to accept a view of human beings, historical events, and sociopolitical systems of government as basically static entities or phenomena. Even in a work such as *Discipline and Punish*, which is not one of his later writings, Foucault highlights how subjects employ existing discourses and institutions for subversive purposes.

Foucault is well-known for his ability to draw out and bring into full view the double-sidedness of discourses, institutions, historical events, and sociocultural practices. This is precisely what he does in his analyses of the inescapability of power relations, the social construction of subjectivities, and the often surprising manifestations of counter-hegemonic resistance. For example, in *Discipline and Punish*, Foucault retraces the genealogy of the modern prison system and argues that the primary intention (i.e., tactic) of its beginning phase, namely, the rehabilitation of the criminal, was eventually eclipsed by what the prison system actually produces: delinquents—a new class of individuals that can be more easily monitored, isolated, and controlled. As to reducing crime, the prison system has failed; neither has it met its goal of rehabilitating and reforming inmates. Yet, failures to meet its tactical aims have morphed into numerous "successful" strategies, which now seem ineradicable from modern society.[69] Foucault then discusses how the carceral system produces delinquents and how these subjectivities become objects of knowledge, which then prove politically useful to the administrators of society. Delinquency is "an effect of penality," which then creates specific categories of criminals and facilitates the continued supervision of such illegalities.[70] Delinquency "is an illegality that the 'carceral system,' with all its ramifications, has invested, segmented, isolated, penetrated, organized, enclosed in a definite milieu, and to which it has given an instrumental role in relation to other illegalities."[71]

Delinquents can, for example, serve as informants. Likewise, because of their prison record, which of course follows them for the rest of their lives, they are easily monitored, tracked, and in many cases, owing to the stigma of a criminal record, locked into the lower socioeconomic strata of society. Recidivism is, of course, common with delinquents; but such a phenomenon is part of the feedback loop necessary for the proper functioning of the carceral system. The delinquent, no longer viewed primarily as an offender but as a "pathologized subject,"[72] simultaneously functions as an object of knowledge; and with this new knowledge, we see the rise of new sciences such as criminology, ever-engaged in classifying, categorizing, codifying, and dissecting the various species of aberrant "souls."[73] With the modern prison's production of its new subjects, delinquents, we have a clear example of how intentional tactics and unintended strategies coexist, combine, conflict, and while working at cross-purposes with one another, construct an apparatus so firmly entrenched in our social consciousness that we are unable to imagine an alternative to replace it.

Moreover, in light of the shift from a monarchical paradigm to one in which power is diffused through complex interlocking networks, "[p]ower is no longer substantially identified with an individual who possesses or exercises it by right of birth; it becomes a machinery that no one owns."[74] Foucault in no way denies that some individuals and groups within a particular sociohistorical power diagram possess significantly more control over institutions, economic resources, military might, and so on: "Certainly everyone doesn't occupy the same position; certain positions preponderate and permit an effect of supremacy to be produced."[75] Nor is it the case that subjects, because they are "located" within the power grid, are unable to execute intentional and volitional actions. For example, in *Discipline and Punish*, Foucault describes different avenues of resistance open to the peasant class and common folk of the "classical period." If the people believed that a person was unjustly condemned, they could attempt to prevent his execution, instigate a public riot or disturbance, cheer for the condemned man and turn him into a "hero" of sorts, rail against the judges, and even physically assault the executioners.[76] In one such manifestation of resistance, the people, enraged by a death sentence given to a repentant servant girl who had stolen from her master, "prevented the hanging, invaded the merchant's shop and looted it; in the end, the servant was pardoned."[77]

Although Foucault is clear that counterhegemonic resistances are possible and bring about real change over time, he recognizes that sociopolitical transformations emerge slowly, often painfully, and that strategic developments and a host of other contingent factors afford some groups more authority, control, and ascendancy than others. For example, in light of their function and weight within a particular societal formation, certain groups—perhaps those with more economic resources at their disposal—*do* in fact occupy positions of greater influence within the whole than others. Power relations, in other words, are inescapable; however, there is no reason to think, and Foucault certainly does not, that all power relations have the same function or role in the larger sociopolitical power diagram. Yet, because power relations in Western societies from the modern period forward are distributed in a net-like fashion rather than focused in person of the king, absolute power, as Heller observes, "is a structural and thus a practical impossibility."[78] The exercise of power of course can be oppressive; but as we have seen, it can also be utilized for social reformation and to achieve other positive individual as well as collective goals. We should also remember that given the all-pervasiveness of power, those constituting the dominant group(s) are no less subject to social construction than are other groups, and can, for example, over time be reconstituted, dislodged, and perhaps even overturned by counternarratives (including reverse discourses), political action, and other tactics.

In the *History of Sexuality*, volume 1, Foucault uses the phrase "reverse discourse" in the context of discussing how two different and opposed discourses about homosexuality emerged in the nineteenth century. The dominant discourse crafted a narrative of the homosexual as a type of pervert in need of medical and other treatment. The solidification of the "abnormal" category "homosexual" is intrinsically connected and dialectically related with the "normal" category "heterosexual." In other words, the two concepts emerge simultaneously in a particular sociohistorical context; simply put, they are correlative.[79] However, when deployed as discourse, each has a set of "discursive elements" that can be utilized for multiple, divergent, and even contradictory purposes.[80] Hence, the appearance of counterhegemonic discourse on homosexuality is made possible once the hegemonic discourse has been sufficiently focused and established. Commenting on this phenomenon, Foucault explains, "[H]omosexuality began to speak on its own behalf, to demand that its legitimacy or 'naturality' be acknowledged, often in the same vocabulary, using the same categories by which it was medically disqualified."[81] The picture is not one in which we have a discourse of power (i.e., the hegemonic discourse) and a mere reactionary counterdiscourse; rather, both discourses are productive, involve "tactical [i.e., intentional] elements," and operate within networks of power relations.[82]

Two analogies come to mind—one more technical than the other—which may help to clarify how reverse discourse operates within the same circumscribed sociopolitical "space" (e.g., a particular institution, discourse, culture, tradition, and so forth), by infusing familiar forms with new meanings yet remaining connected in some way with the original "space." First, most of us today are familiar with You Tube videos, having either seen numerous videos or possessing at least some basic understanding as to what they are: namely, short video clips of varying technological, intellectual, and artistic quality used for a wide variety of communicative purposes such as to showcase music videos, to present academic lectures, and to propagate political messages. One such video is called "Scary Mary."[83] The creators of the video clip use actual scenes from the classic Disney movie "Mary Poppins," but instead of the original soundtrack they superimpose music that one might expect to hear in a horror movie. Likewise, they choose scenes selectively by foregrounding images that, when separated from the original storyline, can be easily inserted into a new storyline with very a different message. In addition, they flash intermittently on a black background short one- to two-sentence text messages, heightening explicitly the fearful atmosphere desired. The full ensemble of carefully selected images, music, and text transposes the classic 1964 Mary Poppins "discourse" into a tension-filled, frightful discourse in no way suitable for its original audience, children.[84]

The second analogy comes from the music world. A symphonic piece in four movements is a circumscribed space of sorts. Within this space, various "discursive elements"—notes, scales, commonly held yet transgress-able theoretical rules, tonal centers, chords, silences, and so on—are designed intentionally, forming a whole for some communicative purpose. A contemporary conductor or arranger, envisaging the piece otherwise than it has been interpreted by the dominant musical community, could reharmonize, rearrange, or even alter aspects of these "discursive" elements. For example, he could change the tempo or use different instruments than the original score prescribes in order to convey a different mood and communicate a new narrative. As a result, the piece, while utilizing many of the same chords, harmonic structures, and melodic lines as the original, now, as Foucault puts it, "speaks in its own behalf" and insists that "its legitimacy or 'naturality' be acknowledged."[85]

Having explained Foucault's notion of reverse discourse, I return briefly to my discussion of Foucault's affirmation of the pervasiveness of power relations, coupled with his denial of the possibility of one group possessing and permanently maintaining absolute power. In short, given the dynamism and double-sidedness of ever-shifting power relations and the polyvalence of discourses, we now see how such a state of affairs in Foucauldian terms is indeed a "practical impossibility."[86] Foucault's emphasis on contingency of events, concepts, and subjectivities, and thus on the possibility of their being reconfigured and renarrated otherwise, in conjunction with the correlativity of power and resistance and power and freedom preclude a society where one group possesses unconditional, absolute power. For Foucault such a situation, if possible at all, would reflect the absence of power relations and hence would signal the absence of a genuine society.

In this section, I have set forth several ways to make sense of Foucault's notion of a nonsubjective exercise of power. To these, I add one additional interpretative avenue. Nonsubjectivity arises not only from the irreducibility of the various power mechanisms to the individuals who simultaneously take them up and are taken up by them, but also an individual can employ power in a nonsubjective way because an action's intention can and often does produce unintended effects.[87] For example, I may have a fairly clear understanding of my own intentions with respect to a particular action, such as supporting an international humanitarian group aiding the poor. However, I have no control whatsoever over how this organization applies my gift, how their actions "on the ground" impact the community as a whole, or how the recipients' perception of Western humanitarian endeavors are affected by the activities carried out by the workers of this particular organization. In short, my intentional action—giving money to an organization to help the poor—bears within itself a number of potentially positive or negative unintentional social and political consequences. By connecting this sort of case to the previous discussion of intentional tactics and nonintentional strategies, it becomes apparent that individuals can exercise power nonsubjectively. That is, because intentional actions are always subject to producing unintended consequences, "[t]he exercise of power is always potentially non-subjective."[88]

Resistance Is Possible, But How? Tensions in Foucault's Account

In this chapter, we have discussed a number of important Foucauldian themes: power, resistance, subjectivities, as well as the distinction between tactics and strategies. We have likewise examined some of the common complaints by Foucault's critics and have argued that Foucault leaves us neither with a wholly passive subject nor with a socially determined one. On the contrary, Foucault's power relations presuppose free subjects, and his notion of resistance is ultimately power considered from another perspective—that is, power understood as the condition for the possibility of change occurring. If power relations are here to stay, then so are resistance possibilities.

Although we have established solid counterarguments against Foucault's critics, many important questions linger. For example, what precisely is it about the human subject that makes her able to resist, formulate intentional tactics, produce discourses and counterdiscourses, renarrate an already scripted identity, and participate in shaping and transferring sociocultural traditions, as well as uprooting and transforming them? These questions concern what we *are* as human beings, who we are as sociopolitical subjects, and what we may become. Foucault not only dedicated his life to a genealogical analysis of subjectivities—how subjects are constituted and how they constitute themselves—but as a political activist he was personally involved in various sociopolitical resistance movements and actively engaged in reforming institutions such as prisons and psychiatric hospitals. Both his work and his life exhibit the passion of one who believes that we, as individuals and individuals constituting societies, can in fact imagine, think, choose, act, and be otherwise than we are.[89] If, as Foucault contends, it is the case that the Enlightenment and Kant in particular have bequeathed us an *ethos*, a way of life characterized by ongoing critique questioning our current beliefs and attempting to forge new ones, then Foucault would surely urge us to examine critically his own findings, and to seek original insights or perhaps even to reharmonize past insights—whatever it takes to preserve a way of being and being with others that remains open, flexible, creative, and upholds the freedom of historically situated subjects. Before turning to my chapter devoted to Frederick Douglass, two items must be addressed. First, I offer a brief commentary on key terms used by my postmodern and modern dialogue partners. Second, I bring to the fore a significant ethical problem in Foucault's account.

With regard to terminology, in this chapter I have followed Foucault's lead by using the terms "subject," "subjectivity," and "self" interchangeably. Here I cite a few examples to highlight Foucault's synonymous employment of the aforementioned terms. In his essay "About the Beginnings of the Hermeneutics of the Self,"[90] Foucault describes his work on the institutional practices associated with prisons, hospitals, and asylums, as directed toward how "subjects became objects of knowledge and at the same time objects of domination."[91] He then describes the next phase of his work—his foregrounding of an active subject—as an analysis of "those forms of understanding which the subject creates about himself."[92] This latter focus in which the subject creates, transforms, or reconstitutes himself, Foucault correlates with what he calls a "technology of the self."[93] Rather than approach the subject primarily from the perspective of social construction or "techniques of domination," he now examines how subjects constitute themselves via techniques allowing them "to effect, by their own means, a certain number of operations on their own bodies, on their own souls, on their own thoughts, on their own conduct, and this in a manner so as to transform themselves, modify themselves."[94] As we see from these examples (and others could be cited), Foucault uses the terms "subject" and "self" interchangeably, adding qualifiers such as "phenomenological" or "transcendental" to the word "subject" when distinguishing his particular understanding from that of Husserl, Kant, Sartre, or other philosophers.

Throughout my chapters on Douglass and Fanon, I shall continue using these terms rather loosely. However, when I come to my chapter on Scotus, I shall introduce several distinctions that help to articulate the Subtle Doctor's multidimensional conception of freedom. Once

I have clarified Scotus's understanding of freedom and the various ways in which freedom both constitutes the human person and is expressed concretely as moral and political freedom, I shall correlate—in so far as this is possible—Scotus's conceptual categories and terminology with the terms employed by my postmodern and modern dialogue partners.

I now turn to my second item, namely, the ethical deficiencies of Foucault's account.[95] As I have argued in the present chapter, Foucault's notion of power necessarily involves free subjects who are agents capable of resistance tactics. However, Foucault shies away from addressing *how* such agents are free. In certain places, he speaks disparagingly of ontological capacities shared by all humans. In other places, he leaves open the possibility of a more traditional, premodern understanding of the will. In my view, this is a weakness in Foucault's project that must be addressed. If—and this *is* my project—one can synthesize a more robust anthropology (improvising on premodern and modern views) with modern and postmodern emphases on our historical, social, and contingent subjectivities, one then would have a model that saves the ever-changing phenomena and yet can speak more decisively to moral issues such as slavery, the exploitation of workers, human trafficking, and carceral warehousing as violations against human beings. Such an account would likewise enable Foucault's emancipatory insights to be maximally utilized, provide at least some answers to Foucault's own concerns regarding the unstable modern sovereign subject, and address his critics' challenges regarding his failure to acknowledge and give an account for his own normative stance, whether implicit or explicit.

My critique of the shortcomings in Foucault's writings with respect to normative ethics are similar to but not identical with Nancy Fraser's criticisms in her essay "Michel Foucault: A 'Young Conservative'?" Regarding Foucault's supposedly nonexistent or at least unacknowledged normative stance, Fraser concludes that Foucault has failed to do "the conceptual work required to elaborate and complete a merely philosophical rejection of humanism."[96] Fraser outlines several problems with Foucault's position; however, her final criticism is to my mind the most significant. With respect to Hubert Dreyfus's and Paul Rabinow's reading of Foucault as "rejecting humanism on normative grounds," Fraser concludes that Habermas's criticisms are sound.[97] As she puts it, "Without a nonhumanist ethical paradigm, Foucault cannot make good his normative case against humanism. He cannot answer the question, Why should we oppose a fully panopticized, autonomous society?"[98] Foucault gives us many indications that he does oppose such a society; however, his account comes up short given that he provides no reasons for why one power relation configuration ought to be avoided and another preferred.

Although my project is not the same as Fraser's, I too find Foucault's anthropology, as well as his ethical framework, deficient. For instance, Foucault's discussion of the distinction between power relations that remain open and flexible and those that morph into dominating and rigid relations suggest that Foucault views the latter as better than the former. In other words, dominating or violent relations that render one partner in the relation utterly passive—or at least that attempt to do so—are to be avoided. Moreover, Foucault's life and work were dedicated to fostering a society that strives toward making possible more open, flexible power relations in which the field of possibilities for change and growth remain open and reciprocal. These types of claims move us into the realm of ethics as well as politics. However, given Foucault's reticence to commit to at least some transhistorical aspects or capacities of the subject—even though his account presupposes such capacities—his philosophy cannot support or account for *why* we should speak against or attempt to dismantle relations of dominance.

To be clear, my project does *not* claim that Foucault himself advocates a return to or even an appropriation of a premodern anthropology. However, his genealogical and archaeological descriptions of power relations, freedom, resistance possibilities, reverse discourse, and active self-formation via various intentional and volitional "technologies of the self" presuppose a specific kind of subject possessing cognitive and volitional capacities. These capacities are not created by the subject herself; rather, employing Christian vocabulary, I shall argue that they are gifts given by the original author; they are essential aspects of human beings,[99] of human persons created in the image and likeness of God and thus reflecting in a finite and analogous manner divine rationality and freedom. Foucault, of course, was not a Christian, but his writings demonstrate a willingness to engage Christian thinkers thoughtfully, appropriating whatever insights he might find and considering how his discoveries might be harmonized with the present to create something *new*.

Similarly, I shall improvise upon Foucauldian themes, drawing from his rich analyses and benefiting from his attentiveness to our historical, cultural, and sociopolitical situatedness. In particular and of utmost relevance for my project and the chapters that follow is Foucault's articulation of the double-construction of the subject and the ways in which, given our freedom and the various institutional, religious, and other historical contingencies that shape us, we are nonetheless able to resist dominant impositions and to rewrite our own narratives, subjectivities, and ways of being-in-the-world-with-others. As we shall see, the sociopolitical and philosophical reflections of Douglass and Fanon complement and extend Foucault's insights. Moreover, both Douglass's and Fanon's narrative depictions and concrete existential emphases give powerful persuasive force to Foucault's theoretical analyses. While unlike Foucault, Fanon and Douglass explicitly denounce as morally unjust the institution of slavery and the practice of colonialism, their accounts would also profit from a dialogic engagement with Scotus (and vice versa). For Scotus, human freedom is perfected in intimate union with God. Thus, freedom must ultimately have a *telos*, which for the Christian tradition involves a relationship with a personal God who has assumed human flesh and has willingly suffered and even endured death for the sake of those who bear his image—that is, *all* human beings.

At this point, I want to begin my transition to Frederick Douglass, who shares Scotus's Christian faith. As an orator, rhetorician, activist, and social theorist par excellence, Douglass recounts masterfully his personal experiences as the socially constructed "black" other, the slave whose worth was calculated in terms of labor production capacity. Just as Scotus provides insightful reflections and potential "tools" for our modern and postmodern dialogue partners, so too Douglass's narrative as a window to what life was like from the underside of modernity has much to offer my premodern and postmodern dialogue partners. As we begin to walk with Douglass, entering in some miniscule way into his experience of suffering, social death, and his rising again, we are confronted with the reality that human freedom cannot be reduced without severe diminution and distortion to a mere inner, spiritual freedom. Rather, freedom, like love, must become embodied, tangible, and realizable in one's everyday sociopolitical experience in *this* world. Let us now turn our attention to how a concrete subject, Frederick Douglass, (re)constructs his subjectivity amidst the oppressive and dehumanizing context of chattel slavery.

CHAPTER 3

Frederick Douglass on Power Relations and Resistance "From Below"

Frederick Douglass on Loss, Longing, and the Social Construction of Slave Subjectivities

Improvising on Rousseau's well-known opening lines from his work *The Social Contract*, Lewis R. Gordon reformulates the French philosopher's theme, allowing the muted voice of the slave to speak: "The slave is born in chains, but she has freedom within her bosom. How is this possible?"[1] The slave's chains, unlike those of which Rousseau speaks, left their violent imprints on Douglass and countless other black bodies. In the racialized society of nineteenth-century America, physical chains served as outward markers of a hegemonic, socially constructed narrative alleging an internal reality, namely, the inferior, subhuman status of blacks. Rejecting this interpretation and refusing the other-imposed silence, Frederick Douglass, in his first autobiography, *Narrative of the Life of Frederick Douglass*,[2] speaks, describing lucidly how his subjectivity was (pre)scripted by the hegemonic narratives and sociopolitical practices of white society.

Although he was forced to exist within an oppressive, violent, and constrained context, Douglass successfully engaged in intentional acts of resistance, demonstrating the humanity that his oppressors denied. In this chapter, I explore the ways in which Douglass's resistance tactics not only corroborate and complement Foucault's elaboration of power relations and resistance possibilities but likewise challenge on ethical grounds Foucault's episteme-restricted claims. In addition, I enter into dialogue with feminist and womanist criticisms of Douglass that take issue with his employment of masculinist tropes and his participation in the patriarchy of his day. While agreeing with many aspects of feminist and womanist critiques of Douglass on these matters, I conclude that his failures must be interrogated and interpreted in connection with his complex rhetorical strategies and his cognizance of the discursive and nondiscursive power configurations of his day—configurations allowing some narratives to be heard while simultaneously stifling others.

Though for all practical purposes he lived as a *homo sacer* in a constant "state of exception," nonetheless, Douglass exhibited a resilience that refused classification as thing or mere property. Unlike Hegel's docile slave, he was willing to confront his master (Mr. Covey), risking his life rather than continue a bestial "bare life" existence.[3] Consequently, Douglass's account of his struggle with Mr. Covey proves an excellent critical dialogue partner for Hegel. In Douglass's real struggle with his master, certain aspects of Hegel's mythico-philosophical depiction of the master/slave relation are challenged and shown to be insufficient—in particular Hegel's claim concerning the liberating effect of the slave's labor.[4]

One of Douglass's main themes developed over the course of his narrative is how the discursive and nondiscursive structures of nineteenth-century (white) America attempted to reduce slaves to the status of (nonrational) animals. For the most part, slaves had little if any knowledge concerning the details of their own birth—where, when, and on what date he or she was born.[5] Often—and such was the case with Douglass—slaves had no idea regarding the identity of their own fathers.[6] In fact, the slave was trained not to ask about such matters, for to do so was to exhibit the signs of a "restless spirit."[7] From birth to death, the slave was to remain socially and politically invisible, appearing only when his or her visibility benefited the master. The image of invisibility can and has been used with great effect to describe the slave's lived experience. As Gordon observes, the slave becomes "a form of presence that is an absence, an absence of human presence."[8] Having been "[f]orced into the realm of property," the slave's "cries for recognition" fall on deaf ears, her human gestures viewed by blind eyes; she finds herself in a society constituted by a "carefully crafted discipline of unseeing."[9]

Douglass, like other chattel slaves and beasts of the field, lived, moved, and had their (non)being in accord with the master's labor schedule. Or as Douglass puts it, his temporal existence was shaped according to "planting-time, harvest-time, cherry-time, spring-time."[10] Douglass's account of the instrumentalization of human beings to an efficient, labor-generating machine producing "goods" for the master's benefit has direct bearing on Hegel's depiction of the master/slave dialectic. Specifically, the former's explanation of the flesh-and-blood relationship between the master and the slave challenges Hegel's claim regarding the role of labor as overly abstract in light of the concrete experience of slaves like Douglass. However, before discussing how Douglass's account serves both to complement and to critique Hegel's, I want to elaborate briefly on a point of connection between Foucault's analyses of panoptic surveillance and Douglass's descriptions of Covey's disciplinary tactics. I bring Douglass and Foucault into conversation prior to my discussion of Hegel and Douglass because I want to show how the interiorized panoptic gaze analyzed in the Douglass/Foucault section breaks down in the famous confrontation scene between Douglass and Covey. In order to do this, I must first explain Foucault's notion of panopticism and show how Douglass's account of his life on the plantation complements and provides a concrete, existential example of Foucault's analyses.

Having presented the relevant accounts, on the one hand, we find significant continuities between Foucault and Douglass. On the other hand, important discontinuities emerge between the latter and Hegel. Last and to elaborate a point mentioned earlier, as my project unfolds, I foreground points of tension between Douglass and Foucault with respect to ethical issues. That is, I argue that unlike Douglass, Foucault's reticence to make certain ontological commitments about the human subject factors into his reticence to make transcultural ethical claims and that this is a significant shortcoming in his account.

Frederick Douglass and Panoptic Surveillance Plantation-Style

Although Foucault's discussion of panoptic surveillance is familiar to those acquainted with his work, given my diverse dialogue partners and thus my equally diverse readership, I shall rehearse briefly the basic features of panopticism and then show how Covey engaged in his own version of panoptic surveillance. The Panopticon, made prominent in Jeremy Bentham's writings, is a tower-like structure situated in a centralized location for the purpose of keeping the prisoners under constant surveillance. The architectural design and placement of the structure made possible an ever-present gaze—or it at least made the prisoners feel *as if* they were always being watched by a warden, guard, or other prison official. Through the conditioning of this constant external gaze in conjunction with physical and psychological abuse, the prisoner eventually internalized the gaze. Once the gaze was internalized, the actual presence of the warden observing the prisoner was rendered unnecessary. The docile body was thus formed, having come into existence by way of active and passive disciplinary practices and spatial-shapings (e.g., the architectural design of the prison itself).

Douglass's description of Covey's disciplinary tactics exhibits striking similarities to Foucault's account of panoptic surveillance. Covey had a reputation as a slave-breaker—a reputation he cherished and upheld at all costs. Because Douglass was deemed an unsubmissive, rebellious slave, he was sent to Covey. As an experienced slave-breaker, Covey had developed a fine-tuned system, consisting of calculated physical, emotional, and psychological abuse—all of which was intended to create submissive, docile slaves who would respond unreflectively to their master's command. For example, while his slaves were laboring in the fields, Covey would crawl on the ground in order to catch the slaves by surprise and to see whether they were working to his satisfaction. Covey engaged repeatedly in these and similar surveillance tactics, punishing with whippings and other physical brutality those whom he judged lazy and inefficient laborers. Such disciplinary practices and stealth visits created a simulation of the master's ever-present gaze.

Douglass describes how Covey's unexpected appearances and harsh treatment for alleged offenders made the slaves fearful, afraid to rest for even a moment from their inhumane work regime. "He [Covey] appeared to us as being ever at hand. He was under every tree, behind every stump, in every bush, and at every window, on the plantation."[11] Moreover, Covey's privileged economic and sociopolitical position as master afforded him the opportunity to execute such calculated and time-consuming surveillance stratagems. Thus, in praxis, even though he was limited by his spatiotemporal being, Covey was, like the towering Panopticon, able to project a ubiquitous presence. Once the slave was broken and had willingly internalized the master's gaze, Covey's mission was complete and a new subjectivity—the slave subject—was doubly forged, now as internally as it was externally constrained. What we want to keep in view as we transition to Douglass's account of his fight with Covey is how even after the panoptic gaze is internally inscribed, it does not "go all the way down." That is, there is something about human *being* enabling one, as it were, to deflect and cast off the panoptic gaze, thus making possible liberation not only from external surveillance but from the internalized variant as well.

Douglass's "Word" to Hegel: Resist Now; Truth, Not Labor Sets the Slave Free

Prior to his arrival at Covey's plantation and against awe-inspiring odds, Douglass had learned to read and write. However, this newly gained literacy proved both a blessing and a curse. On the one hand, it allowed Douglass to articulate his thoughts with clarity and power and gave him a sense of mental and spiritual freedom, helping him to cope with his dismal, oppressive context. On the other hand, his literacy heightened his awareness of the injustices he and other slaves experienced daily at the hands of their white masters and the dominant society. As we shall see, Douglass concludes that mental or "inner" freedom is not enough for sociopolitical being-in-the-world. Moreover, according to Douglass, justice requires that *all* humans have the opportunity to express freedom concretely so that they might flourish as embodied, relational, and political beings. This more full-orbed view of freedom includes equal access to education, property, and political rights, as well as other human goods readily available to (white, male) citizens. Although Douglass's achievement of literacy was an argument against white society's claims that slaves could not be properly educated, Douglass's literacy could not "hide" his black skin, which in a racialized society was the chief external sign of an (alleged) inferior internal reality.

In one of the most famous passages of Douglass's narrative, he describes how Covey's brutal disciplinary regime crushed him "in body, soul, and spirit."[12] Under such harsh discipline pressing his body to its utmost limits, Douglass's "intellect languished" and his "disposition to read departed."[13] Having been forced to exist like a beast—to live *as if* he possessed no higher faculties but only mere instinctual drives—Douglass's "dark night of slavery" extinguished his newfound hope gained through literacy—"behold a man transformed into a brute!"[14] Commenting on Covey's tactics, Lewis Gordon observes that Covey's disciplinary strategy "starts with a brutal, material introduction to reality, but a reality designed to push the slave one step short of despair."[15] Covey's cruelty, in other words, is a calculated, personalized violence intended "to break the slave's spirit, but to break it enough for the slave *to remain* productive."[16] In a slightly amended version of the Covey episode in his second autobiography, *My Bondage, My Freedom*, Douglass writes, "I remained with Mr. Covey one year (I cannot say I *lived* with him)."[17] As Gordon observes, here Douglass "makes a classical existential distinction between remaining and living [. . .]—the former being analogous to being-in-itself, a form of being suited for 'things,' and the latter being-for-itself, a form of being with open possibilities, with self reflection [. . .], human being."[18]

Finally the day arrived when Douglass could take no more and decided to risk it all with Covey. After having returned to Covey's plantation—fleeing due to a near-death beating incurred at Covey's hands—Douglass is confronted by Covey, carrying a rather long rope. Covey attacks Douglass, attempts to bind him, and Douglass chooses to fight back, knowing that this decision may cost him his life.[19] "At this moment—from whence came the spirit I don't know—I resolved to fight; and, suiting my action to the resolution, I seized Covey hard by the throat; and as I did so, I rose."[20] Many commentators have observed Douglass's use of Christian resurrection imagery to describe his newly found resolve to meet Covey as an equal.[21] Whatever occurred within Douglass or provided the source of his strength and courage to actively resist Covey, that he did resist is incontrovertible. His ability to willfully choose to stand up to Covey and to cast off the internalized master's gaze highlights a distinctive feature of human being, namely, our rational and volitional capacities to imagine ourselves otherwise and to refuse to allow an other to dominate our lives completely and to "write" our subjectivity in full—even if such resistance costs us everything.

If we engage in a thought experiment and bring Douglass's narrative as a hermeneutical tool into conversation with Hegel's master/slave dialectic, some rather interesting insights surface. Hegel devotes several paragraphs (178–196) in the *Phenomenology of Spirit* to the master/slave dialectic or, as Miller translates the terms, the "lordship" (*Herrschaft*) and "bondage" (*Knechtschaft*) relationship. Both desire and recognition by a (human) other are central to Hegel's account of the actualization of self-consciousness. Desire moves the self outward, and, as Alexandre Kojève observes, human desire is something more than mere self-preservation common to all animals. "Man's humanity 'comes to light' only in risking his life to satisfy his human Desire—that is, his Desire directed toward another Desire. [. . .] all human, anthropogenetic Desire [. . .] is, finally, a function of the desire for 'recognition.' "[22] Thus, the self requires the recognition of another "I," which corresponds to itself with respect to equality, freedom, and independence. Stated otherwise, neither recognition of one's own existence nor consciousness of a mere independent external object provides the requisite certainty Hegel claims is needed for the *full* actualization of self-consciousness. The recognition among the two consciousnesses must be mutual—each self must recognize the other as equal, independent, and free.

Recognition thus leads to confrontation between two consciousnesses. As Hegel puts it: "[O]ne is the independent consciousness whose essential nature is to be for itself, the other is the dependent consciousness whose essential nature is simply to live or to be for another. The former is lord, the other is bondsman."[23] Although on Hegel's account a struggle must ensue for each self to progress toward a fuller human reality, nonetheless, in order for the desired recognition to occur both combatants must survive. If one or both perish, recognition is rendered impossible. Consequently, one self must give way to fear; this self becomes the bondsman or slave, showing his servile nature in that he would rather preserve his life than lose it; he thus submits to the lord or master, becoming a thing or tool for the latter's "pure enjoyment."[24] As Kojève explains, through the fight itself these two very different, opposing, unequal selves are constituted. The slave, by giving in to fear and ultimately yielding to the other, the newly formed master, "must refuse to risk his life for the satisfaction of his desire for 'recognition.' He must give up his desire and satisfy the desire of the other: he must 'recognize' the other without being recognized by him."[25] In such an arrangement, the relationship and recognition involved is clearly one-sided, asymmetrical, and unequal. Because we are what we are in relation to the other, as the slave recognizes the other as master, he simultaneously sees himself as the master's slave.[26]

Ironically, this one-sidedness benefiting the master ends up, according to Hegel's dialectical logic, as advantageous for the slave. As we have seen, acquiring full selfhood requires an other; however, the master's other, the slave, is not an "autonomous Consciousness" but is merely a "nonessential Consciousness" (Kojève's terms). Thus, because of the dialectical nature of the relationship, the truth of the master or "autonomous Consciousness" eventually transforms into slavish or "nonessential Consciousness" and vice versa. Consequently, the situation is much better for the slave, as his essential reality has been the master, an "I" existing for-itself not for-an-other. In other words, the truth of the master has been from the beginning implicit in the slave (and the reverse is true as well).[27] As Hegel explains,

> It [servitude] does in fact contain within itself this truth of pure negativity and being-for-self, for it has experienced this in its own essential nature. For this consciousness has been fearful, not of this or that particular thing or just at odd moments, but its whole being has been seized with dread; for it has experienced the fear of death, the absolute Lord. In that experience it has been quite unmanned, has trembled in every fibre of its being, and everything solid and stable has been shaken to its foundations.[28]

The slave must, of course, eventually overcome his slavery and come to see himself rather than the master as an essential, autonomous, and free reality, and he has great motivation to do so. The master, in contrast, has no desire to cease being master. As the passage here indicates, the slave in the initial fight has experienced already a negation of himself constituting him as a slave in the first place. The slave experienced fear not of this or that particular thing but of death itself. The slave's experience of the "absolute melting-away of everything stable" is "*pure being-for-self*," which is essential for autonomous consciousness.[29] Thus, we see that from the initial constitutive struggle the means for the slave's freedom has been present within the slave himself.[30] As the dialectic demands, this "moment of pure being-for-self" does not remain implicit but becomes explicit for the slave, "for in the lord it exists for him [the slave] as his *object*."[31]

Then Hegel begins to focus on the role of labor and how this allegedly sets the slave free. Having achieved self-consciousness through his experience of "the fear of death, the absolute Lord" in which the master's free self-consciousness becomes his ideal object, the slave's relation to labor is transformed. In short, through his labor, the slave "becomes conscious of what he truly is," another "I" and not a mere thing. The master was moved by desire to gain recognition through an other, the slave, and thus to overtake him by force. Rather than kill the other, the master enslaved him and created an unequal distorted relationship, which reduced the slave to a mere tool for his master's enjoyment. Given this arrangement, the master's relation with the material realm is mediated through the slave.

The slave, in contrast, works directly with the material realm, cultivating it and infusing it so to speak with his own creative ideas and mental energy. In so doing, the slave comes to respect the material realm on its own terms, working creatively with it and leaving something of himself in it for posterity. Thus, through his labor, the slave, in contrast with his master, experiences nature as having its own independence and integrity, its own permanence and objectivity. Why? Because the master's desire compelling him to conquer and treat the slave as a labor machine operates by way of destruction, negating the other and leaving only lack and unfulfilled desire—an instance of Hegel's bad infinite. "[T]hat is the reason why this satisfaction is itself only a fleeting one, for it lacks the side of objectivity and permanence. Work, on the other hand, is desire held in check, fleetingness staved off; in other words, work forms and shapes the thing."[32] With the permanence provided via intelligent shaping or "formative activity,"[33] the object produced through the slave's labor acquires a lasting quality, a form or design that is both intelligible and transferable over time. Using Aristotle's language inflected through a Hegelian grammar, we might say it has become in-formed matter and possesses its own integrity. "It is in this way, therefore, that consciousness, *qua* worker, comes to see in the independent being [of the object] its *own* independence."[34]

In addition, because he has had to labor neither for himself nor for his own projects, the slave has learned to suspend his desires. Having habituated himself this way, he works creatively with nature, respecting and valuing it rather than seeing it as a means to satisfy his insatiable desires.[35] What at first seemed to produce only alienation—perpetual labor for an other and never for oneself—ultimately comes to be understood as "formative activity,"[36] a distinctively human activity involving cognitive capacities to creatively shape, form, and interact with the material world, valuing its integrity, and allowing it to be other. Labor, as Kojève observes, like the initial struggle between the two consciousnesses, also plays a constitutive role in the formation of the master/slave subjectivities. The master's relation to the natural world, the material shaped by the slave, is mediated and thus dependent on the slave. That is, the master's relation to the natural thing upon which the slave labors and which he cultivates comes into existence through mediation, "i.e., through the work of the Slave who transforms the natural thing, the 'raw material,' with a view to its consumption (by the Master)" and for the master's enjoyment.[37] The master's free relation to nature so that he can consume and satisfy his desire comes through the slave. In other words, the dependency relation shaping each subjectivity and each subject's reality is mutual even if unequal and asymmetrical.

Nonetheless, the master/slave relation is not a relation of true recognition because the slave qua thing is not capable of the reciprocity required. What supposedly constituted the master in the initial fight was not only his willingness to risk his life for freedom but the fact that his desire was directed not toward the natural world—what Kojève calls the "thing"—but toward the desire of an other (equal) I capable of reciprocal recognition. But having enslaved the other and transformed him into a thing, the master's situation turns "tragic."[38] That is, "[t]he Master has fought and risked his life for a recognition without value for him. For he can be satisfied only by recognition from one whom he recognizes as worthy of recognizing him. The Master's attitude, therefore, is an existential impasse."[39] A thing cannot recognize; consequently, the master qua master remains restless and unsatisfied. Paradoxically, the satisfied person will be the slave or the one "who has passed through Slavery, who has 'dialectically overcome' his slavery."[40]

In short, this triple complex—fear of the master destabilizing the self, service for the master's sake denying one's own desires, and labor as "formative activity" resulting in a free relationship with the material realm and a dialectical reversal of the master/slave relation—enables the slave to discover himself as an "I" in harmony with the world. It is not by accident that the next section of the *Phenomenology* transitions to Stoicism—a view emphasizing inner freedom, a rationally ordered universe, detachment from and indifference to external realities and occurrences outside of one's control, and an acceptance of one's place within the larger ordered, rational whole.

With a basic sketch of Hegel's master/slave dialectic in place, I want to bring Douglass's account into conversation with Hegel. After Douglass's act of physical resistance, Covey never again harms Douglass's body. As we saw, for Hegel the master/slave relationship comes into existence when one person chooses to preserve his life rather than fight the other and thus place his life in jeopardy. The one opting for life over death becomes the slave; yet, through a dialectical reversal, the slave by way of labor and deferred desire eventually attains autonomy and freedom.

Although Douglass's narration of his fight with Covey is not depicting an originary moment in human evolution, it does describe a new birth, a coming into being of a new self with newfound expanded freedom constituted in some significant sense by the fight-event itself. With Douglass's concrete-historical master/slave dialectic, the former docile slave (Douglass), laboring under the yoke of his master (Covey), resolves to confront his master, risking his life in order to gain something more than spiritual or inner freedom. In the passage that follows, Douglass interprets the fight with Covey as a decisive moment in his struggle for freedom. As he explains, the struggle with Covey was a "turning-point" fanning to flame the remaining "expiring embers of freedom" and bringing back his "self-confidence" and desire for freedom.[41] Douglass then says that nothing—not even "death itself"—could rob him of the satisfaction he experienced having overtaken Covey. "He only can understand the deep satisfaction which I experienced, who has himself repelled by force the bloody arm of slavery."[42] Douglass even uses Christian imagery to narrate his victory over Covey, describing it as a "glorious resurrection, from the tomb of slavery, to the heaven of freedom. My long-crushed spirit rose, cowardice departed, bold defiance took its place."[43] His physical confrontation and ultimate triumph over Covey marked a definitive point in time when he saw himself no longer as a slave, even if he might temporarily "remain a slave in form."[44] In addition, from that day forward, Douglass's decision to put his life at risk for his freedom became a permanent way of life.

As Douglass's account reveals, something beyond intellectual freedom—literacy and so-called inner freedom—was required for his "resurrection from "the tomb of slavery," the ongoing social death he endured from sunrise to sunset. As an embodied political being, Douglass's experience of freedom was necessarily limited so long as Covey and the all-pervasive sociopolitical apparatus of chattel slavery had dominion over his body, controlling, monitoring, and defining his every spatiotemporal move. As I highlighted earlier, Douglass's personal history, including significant temporal markers and events such as his birth date, the identity of his father, and so forth, was erased, covered up, and controlled by the white other. When he resolved to stand up to Covey—an embodied representative of the larger sociopolitical racialized apparatus—Douglass began to rewrite his own story, creating his own noteworthy historical landmarks. His preface to the Covey-event indicates that he himself understood the fight as momentous, historic, and transformative. "The circumstances leading to the change in Mr. Covey's course toward me form an epoch in my humble history. You have seen how a man was made a slave; you shall see how a slave was made a man."[45] In short, Douglass's retelling of this event suggests, in agreement with Hegel, that not only was some form of physical resistance or force needed for his own sense of freedom, but it was also needed so that Covey might recognize him as an other, as a *human* being with volitional and cognitive capacities, enabling him to engage in deliberate and purposeful acts of resistance.[46] The (white) panoptic gaze inscribed in his body through multiple lashes of the whip and forced inhumane labor, the gaze internalized through his brokenness and reduction to an animal-like state was at last cast off. As was the case with Hegel's account, the fight, the placing of one's life at risk was a constitutive event; however, this time it resulted in an undoing of slave subjectivity and a remaking of Douglass's human subjectivity. "I now resolved that, however long I might remain a slave in form, the day had passed forever when I could be a slave in fact."[47]

In addition, contra Hegel, Douglass argues that the slave does *not* attain freedom or recognition of his humanity through his labor for the master. Rather, Douglass's own lived experience as a slave confirmed quite the opposite; that is, Covey's excruciating labor regime combined with physical brutality and mental abuse dehumanized Douglass and drove him into a beast-like state. Rather than unveil over time the truth of his humanity, Douglass's forced labor for the master's sake worked in a systematic and calculated way to extinguish—or at least attempted to extinguish—his higher capacities and thus to reduce him to an animal-like existence.[48] His work for Covey produced neither indifference to nor detachment from desire, but instead ignited and augmented a desire for freedom, a spatiotemporal existence defined and fashioned by his value as a (rational, volitional) human being and not by the economic value or any other benefits extracted from his subjugated body. Although on Douglass's account, acquiring skills through labor does *not* bring about a reversal in the master/slave relationship, he is quite cognizant of the way in which the master's identity is, as Hegel claims, dialectically related to the slave's. How so? Covey decides against turning in Douglass for a public whipping. Douglass's explanation for Covey's seemingly inexplicable decision is that his master's reputation as a slave-breaker was on the line.[49] The master had failed to break the slave; consequently, for Covey to surrender Douglass to the civic authorities would be to admit his failure and to lose his highly valued reputation.

A final and significant point of contrast between the two narratives underscores problems both with the abstract, ahistorical nature of Hegel's account and the necessity he posits at each stage of his system. Although Hegel acknowledges that the master qua master has no desire to relinquish his rule over the slave, nonetheless, given the dialectical reversals inherent in his system as a whole, his account suggests that over time slavery will simply eradicate itself. Douglass, however, calls this claim into question. Having lived most of his life in a full-blown racialized society in which the institutional and sociopolitical structures and practices functioned as the ever-raised master's whip poised to strike whenever necessary, Douglass became convinced of the need for active resistance, which for him included physical acts of resistance. An objector might ask whether there is more continuity between the two positions than I allow, pointing out that Hegel's narrative also embraces active resistance and physical confrontation. After all, the reason for the slave's bondage is his failure to enter a fight unto death with his opposing partner. Here the necessity of each move in Hegel's system proves problematic. According to Hegel, who claims to give a presuppositionless account of the necessary unfolding of concepts, slavery is a necessary stage that will eventually be overcome. If the two original consciousnesses had perished in the first conflict, the narrative would have ended rather abruptly. In other words, the story *must* unfold as Hegel tells it so that eventually a dialectical reversal will occur, which then gives rise to the equal recognition required for true freedom. Given Douglass's lived experience of a full-blown, institutionally entrenched slave society, he understood firsthand that the uprooting process would require decisive intentional acts of resistance on many levels and in multiple spheres. For someone in Douglass's position, to claim that slavery over time will transform into its opposite via a dialectical process would be heard as an abstract, detached theory having no connection with reality "on the ground." Likewise, for Douglass, who was convinced of the intrinsic evil of slavery, such a position is morally unacceptable.

From the Exodus of the Old Testament to contemporary examples of slave liberation, decisive action was required to effect change.[50] After all, as Aristotle's theory of the "natural" slave demonstrates, an aristocracy can easily justify the "need" for a slave class. Once a ruling class is in place proclaiming itself "by nature" morally and intellectually superior to others and thus best suited to rule those incapable of thinking and acting for their own good, the conditions are in place for the building of a slave society. In line with this reasoning, some group will have to function as the economic backbone of society, which likewise makes possible the leisure required for the elite class to rule. Since the slave class is allegedly unable to direct its own affairs due to its members' moral and intellectual inferiority, it is not the best-suited group for the task. This "prudent" and "benevolent" arrangement is then heralded as not only the most efficient but the most just sociopolitical configuration, as all members play the role most fitting to their natural abilities.

If we bring Aristotle's claims to bear on Hegel's account, we see that the recognition from equals required by Hegel's system could be met—playing by the rules of his theory—among the members of the aristocracy. Of course, this is bad news for the slave class, as it would provide a justification for perpetual slavery. In short, Douglass's account of a concrete, historical master/slave dialectic, while sharing certain similarities with Hegel's account, exposes the inadequacies of the latter and compels us to take definite, active steps to combat oppressive sociopolitical structures rather than wait for the dialectical reversals of history to play themselves out.

Douglass on Improvising "School," Writing Duels, and the Insufficiency of Mental Freedom

Douglass received his preliminary reading lessons from Sophie Auld, the wife of one of Douglass's many masters, Thomas Auld.[51] When Mr. Auld became aware of the identity of Sophie's student, he demanded that she immediately cease such activities. For in Mr. Auld's estimation, educating a slave would ruin him; it would make him "unmanageable" and "of no value to his master."[52] Moreover, to educate a slave would harm him, because it would produce in him discontentment and misery.[53]

When Douglass overheard Mr. Auld's commentary on the "dangers" of educating slaves, he understood clearly the sociopolitical significance of Auld's remarks and committed himself to the task of achieving literacy whatever the cost. "I now understood [. . .] the white man's power to enslave the black man. It was a grand achievement, and I prized it highly. From that moment, I understood the pathway from slavery to freedom."[54] Envisioning the possibility of learning to read and to write—themselves disobedient, transgressive (in a positive and negative sense) acts, transcending his master's constrictive will—enabled Douglass, as Foucault would put it, to imagine himself otherwise and thus to begin to *be* otherwise.[55] Even though he will later come to question whether literacy for a slave is a blessing rather than a curse, at this point in Douglass's journey, he is convinced that his freedom can be achieved primarily through achieving this goal.

Douglass, like Foucault, is cognizant of the intimate relation between knowledge and power, knowing firsthand how masters maintained their dominating role in the power relation by denying slaves formal educational opportunities. Unlike a nondominating power relationship, which is no doubt asymmetrical in some sense yet is also reciprocal and mutually transformative in a positive direction, a dominating power relation moves increasingly toward calcification and the goal of rendering the oppressed partner completely passive. On my reading of Foucault, these dominating relations—even those involving the kind of violence Douglass experienced—still qualify as power relations presupposing and requiring free subjects. Like Douglass's own unstable sociopolitical subjectivity, dominating relations themselves occupy an extreme liminal "space," pressing the boundaries of what it is to be a power relation. Although dominating relations are a kind of hybrid between power relations and relations of violence, nonetheless, because they remain within the power relation continuum, they allow for resistance and thus retain emancipatory import.

Douglass is acutely aware of the fact that the dominating master/slave relation requires knowledge to flow unidirectionally, that is, from master to slave. The slave must be rendered mute and docile; the master must maintain continually the delicate and unsteady balance between creating a completely passive slave subjectivity and a slave with just enough agency to remain useful to the master. Douglass likewise grasped the coconstitutive character of the master/slave relation. That is, he saw that the master's authority and socially constructed superiority depends in part upon his ability to keep the slave ignorant. Such an arrangement, of course, allows the master's dominance in the relationship to rigidify on the personal and societal level. For example, since the master has educational opportunities denied the slave, he will de facto possess more knowledge than the slave. This is in no way to affirm any inherent intellectual inferiority on the part of the slave; it is rather to highlight the concrete, "on the ground" situation, given the fact that slaves were denied access to formal education. Likewise, in light of the structural racism prevalent in nineteenth-century America, the master was able to exercise local as well as sociopolitical and legal disciplinary actions should the slave choose to rebel.

Given Douglass's context, he had to devise and "perform" improvisational resistance maneuverings in order to advance his education. For example, as a young boy of 12, Douglass was required to carry out various errands for his master. In order to make the most of his errand runs, Douglass made sure to carry along two important items: a book and extra bread. Having completed his task with lightning speed, he would approach poor and often hungry white boys playing along the roads and surrounding areas. He would then offer them bread in exchange for incognito "reading lessons"—unbeknownst to them, of course, as they had no clue that they were serving as his "teachers." Through such intentional subversive acts, Douglass was able to transform mundane activities and otherwise social prohibited activities—white boys teaching black slaves to read—into classrooms "on the fly."

Douglass engaged in similar subversive acts of resistance for his writing lessons. For instance, he was acutely aware of the fact that white boys would find it particularly humiliating to be "shown up" by a black slave. Consequently, Douglass put his social astuteness to work and challenged white boys to write a letter, stating that he (Douglass) could "out-write" them. As he expected, the white boys took the bait, and Douglass's ability to write improved with every duel. From the day he overheard Mr. Auld's commentary on keeping slaves ignorant, Douglass determined to "level the playing field" with respect to the white man's intellectual advantage over illiterate black slaves. Having created improvised classrooms wherever he went, Douglass achieved his goal of literacy over the course of his seven years with the Aulds.

However, Douglass's literacy becomes a double-edged sword, piercing his heart with the master's seemingly prophetic words: an educated slave is a discontented slave. On the one hand, Douglass's ability to read allows him to devour texts such as *The Columbian Orator*.[56] There he encounters powerful speeches and arguments against slavery. In particular, Douglass singles out a man named Sheridan, whose speeches he read repeatedly. As Douglass explains, Sheridan's writings "gave tongue to interesting thoughts of my own soul, which had frequently flashed through my mind, and died away for wont of utterance."[57] Continuing his commentary on Sheridan, Douglass states that his speeches articulated not only "a bold denunciation of slavery," but also "a powerful vindication of human rights."[58] On the other hand, however, Douglass's intellectual achievements heightened his sense of lost opportunities—or more accurately, opportunities intentionally blocked, closed off, stolen from him and other slaves, just as his captors had stolen them from their homeland.

In some ways analogous to the "knowledge of good *and evil*" Adam and Eve gained through their transgressive act—"knowledge," which produced great sorrow—Douglass's hard-earned intellectual virtues intensified his awareness of his wretched, unjust condition. His inability to return to a state of innocence or ignorance made him at times envy his uneducated counterparts, as well as subhuman animals lacking rational capacities.[59] If only his mind would cease its churning and allow him a reprieve. "It was this everlasting thinking of my condition that tormented me. There was no getting rid of it."[60] Describing in eloquent prose the cruel paradox of (inner mental) freedom amid (outer sociopolitical) unfreedom, Douglass writes:

> Freedom now appeared, to disappear no more forever. It was heard in every sound, and seen in every thing. It was ever present to torment me with a sense of my wretched condition. I saw nothing without seeing it, I heard nothing without hearing it, and felt nothing without feeling it. It looked from every star, it smiled in every calm, breathed in every wind, and moved in every storm. I often found myself regretting my own existence, and wishing myself dead; and but for the hope of being free, I have no doubt but that I should have killed myself, or done something for which I should have been killed.[61]

In short, Douglass's literacy, while no doubt providing him a new and invaluable mental freedom, nonetheless, was insufficient for a flesh-and-blood, embodied *human* being to flourish in *this* world. As Gordon puts it, Douglass's initial effects to gain freedom through literacy fail to translate into a full-orbed freedom. These early attempts "create an epistemic rupture, but without a material/historical rupture, there is a gap that must be closed."[62]

Before I move to the final example highlighting Douglass's discursive acts of resistance—his critique of American Christianity—I want to summarize briefly the overlaps between Douglass and Foucault with respect to power relations and ever-present resistance possibilities. Recall, in Foucault's essay "The Subject and Power," he claims that by investigating various forms of resistance—such as those found in Douglass's narrative—we might better understand the productive character of power relations.[63] Douglass's account of his struggle to attain literacy and to rewrite his subjectivity demonstrates concretely Foucault's oft-misunderstood statement that "[w]here there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power."[64] Even though Douglass's field of possibilities was severely constrained, nonetheless, he remained an active participant in an asymmetrical relation of power—albeit one pressing the limits of what counts as a relation of power.[65] Since Foucauldian power relations require free subjects in order to qualify as power relations,[66] neither Douglass's social construction as a slave-subjectivity nor his sociopolitical status as a nonfree thing could ultimately cancel his freedom qua human being. Even as a chattel slave, Douglass continued to exercise his volitional and cognitive capacities, successfully renarrating his subjectivity and reshaping his sociopolitical existence.

Douglass Contra So-Called American Christianity

In a final and particularly potent subversive, discursive move, Douglass, in the appendix of his narrative, takes on the Christianity of his day, or as he puts it, the "slaveholding religion."[67] As Douglass explains, American Christianity had devolved a fraudulent, hypocritical "religious pomp and show."[68] In short, (white) Christianity in nineteenth-century America had lost connection with its head, Jesus Christ—the God who not only took on human flesh but willingly made himself a slave, not asserting his authority in relations of domination but offering his own life so that we might live the fullest human life possible. Although the following passage is lengthy, it captures well the contradictions and utter duplicity of American Christianity.

> We have men-stealers for ministers, women-whippers for missionaries, and cradle-plunderers for church members. The man who wields the blood-clotted cowskin during the week fills the pulpit on Sunday, and claims to be a minister of the meek and lowly Jesus. The man who robs

> me of my earnings at the end of the week meets me as a class-leader on Sunday morning, to show me the way of life, and the path of salvation. He who sells my sister, for the purposes of prostitution, stands forth as the pious advocate of purity. He who proclaims it a religious duty to read the Bible denies me the right of learning to read the name of the God who made me. [...] The warm defender of the sacredness of the family relation is the same that scatters whole families,—sundering husbands and wives, parents and children, sisters and brothers,—leaving the hut vacant and the hearth desolate. [...] The slave auctioneer's bell and the church-going bell chime in with each other, and the bitter cries of the heart-broken slave are drowned in the religious shouts of his pious master.[69]

Douglass's discursive acts of resistance—that is, his subversive and (re)creative deployment of metaphors used by the dominant (white) society for exploitative purposes—enabled him both to renarrate his subjectivity and to critique and take back the Christian narrative. Here again we have overlaps between Douglass and Foucault. Specifically, Douglass's subversive discourse exhibits strong similarities with Foucault's reverse discourse. Recall, on Foucault's account, in reverse discourse one takes up the "discursive elements" of the hegemonic narratives in order, on the one hand, to challenge the dominant narratives, and on the other hand, to reconstitute new subjectivities.[70] Reverse discourse is not simply a reactionary discourse; rather, it allows new subjectivities to emerge and thus is productive, creating new social realities and thus participating in the ongoing, dynamic reconstitution of power relations.

In Douglass's particular case, his employment of his own variant of "reverse discourse" opened up a critical space, allowing him to challenge the dominant narratives' claims regarding equality, freedom, citizenship, and what it means to be a follower of Christ. As we have seen, Douglass's many acts of resistance—discursive and nondiscursive, mental and physical—did in fact usher in new social realities, subjectivities, and reconfigured power relations. His persuasive arguments and powerful rhetoric indeed substantiate and complement Foucault's analyses of power relations and resistance possibilities; however, Douglass's reflections also critically interrogate Foucault's episteme-specific ethical claims.

Recall, in our critical dialogue with Foucault, we highlighted his reticence to pronounce transcultural truths in the realm of ethics and morality, even though he clearly supports and prefers nondominating, mutually reciprocal power relations. Douglass, having lived under the yoke of slavery and breathed its toxic fumes, devoted his life to advocating for the abolition of slavery and publicly condemned its practice as unjust in all times and all places, a crime against human beings and never justifiable. Not only does Douglass develop rational arguments against enslaving fellow human beings given what we *are*, his narrative does something more—it *shows* rather compellingly Douglass's distinctively human capacities, his creative, intentional, willful acts of resistance and renarration, while simultaneously revealing the self-deception and viciousness of the white slave-holding society in which he lived.

Douglass's Rhetorically Complex Use of Masculinist Tropes

Having discussed Douglass in some detail, highlighting overlaps with and departures from Foucault and Hegel, I now turn to examine various feminist, womanist, and other critical conversations with Douglass. I begin by analyzing both the positives and the negatives of his complex rhetorical strategies, agreeing for the most part with feminist and womanist criticisms of Douglass's shortcomings. In particular, I find convincing their conclusions that Douglass's articulations of freedom are often expressed unhelpfully in the culturally masculinist tropes of his day. Likewise, I agree that Douglass affirms uncritically certain gender essentialist notions of women in his advocacy for women's rights, which, ironically, ends up supporting the very patriarchal structures that his activism challenges. Nonetheless, qua rhetorician and social critic Douglass exhibits an astute awareness of the variegated power relations constituting the social fabric of nineteenth-century America. As a result, he navigates—albeit imperfectly—what he understands as the most effective strategy to bring freedom, justice, and equality to blacks and women.

In his essay "Race, Violence, and Manhood: The Masculine Ideal in Frederick Douglass's 'The Heroic Slave,'" Richard Yarborough highlights how nineteenth-century, white bourgeois constructions of masculinity and "manhood" influenced early African American writers. We see evidence of the influence of socially constructed notions of gender in Douglass's writings and speeches. For example, commenting on his fight with the reputed slave-breaker Mr. Covey, Douglass describes the victory as having reawakened in him a sense of his own manhood.[71] As is true today, notions of masculinity and femininity, like notions of "blackness," are shaped socially and culturally, shifting over time as a result of various changes in legal, religious, political and other practices and discourses. Douglass—as is the case with every other human being—is not immune to social forces. In fact, in many ways he accepts the (white) hegemonic view of what it means to be a successful, autonomous, self-made male.[72] However, Douglass is acutely aware of what his white audience *can* hear and what they refuse to hear. In other words, as I shall argue, while Douglass succumbs to dominant (white) constructions of masculinity he also employs gender essentialist and gender subversive narratives in a rhetorico-rebellious key. To be clear, none of what follows should be taken as making excuses for Douglass's participation in promoting a patriarchal social order or for his overt affirmations of gender essentialism; however, it is to claim that advances in social progress—especially in oppressive contexts such as nineteenth-century America—typically require for a temporary period a special deployment of the dominant cultural tropes for the purpose of reshaping cultural consciousness. The danger lies, of course, in allowing the strategic discourses—essentialist or otherwise—to sediment and become "naturalized"; instead, they too must be interrogated once the oppressed group's political aims have been sufficiently achieved.

Yarborough enumerates several characteristic traits or features encountered in nineteenth-century white narratives of masculinity. Among these "masculine" traits mediated through the white hegemonic narrative of Douglass's day, we find: courage, self-control, rational excellence, nobility, verbal mastery, and autonomy.[73] Aware of such dominant tropes and realizing that they had to work against entrenched negative notions of blackness, Douglass and other black writers such as William Wells Brown crafted their autobiographies and their fictionalized black protagonists with white discourses of masculinity in mind.[74] Thus, we find in Brown's novel *Clotel* depictions of black male heroic slaves as "hardly distinguishable from bourgeois whites" in speech, behavior, and appearance.[75]

On the one hand, African American writers were constrained by white narratives, whose influence affected the creative freedom and extent to which black writers could develop their plots and construct their heroes and villains. On the other hand, Douglass and others used the preformed white-masculinist tropes in creative and subversive ways to challenge prevailing views of black inferiority. Given that the white conceptions of ideal masculinity in Douglass's day portrayed males as independent, courageous, powerful, self-reliant, reason-bearing individuals, who through perseverance and strength forged their own destinies, it is not surprising that Douglass describes his physical struggle with Covey as having restored his sense of *man*hood. Would his narrative have had the impact that it did among white (male) readers if he would have employed culturally "feminine" tropes? The most likely answer is an emphatic "no." In short, black male writers were faced with a difficult balancing act in their attempts to create "successful" black male characters. That is, given both white views of ideal manhood and the negative depictions of black males as unreasoning "savages," black authors had to justify incessantly every move their black protagonists made.

In his 1853 novella "The Heroic Slave," a fictionalized retelling of Madison Washington's lead role in a slave revolt aboard the American ship *Creole*, we find Douglass's attempts to strike this impossible balance. For example, similar to his description of his own restrained use of physical force qua self-defense against Covey, Douglass depicts Washington as having exercised reasoned restraint in his heroic lead role in the slave insurrection. No doubt Douglass chooses to work within these white-formed literary limitations; however, in so doing he plays an active role in reforming the white imaginary with respect to its false construal of blackness. Continuing his subversive rhetorical strategies, Douglass draws a parallel between the slave revolt aboard the *Creole* and the American Revolution. As his drama unfolds and the revolt gains steam, Washington proclaims to his white antagonists (and here white readers are implicated): "We have struck for our freedom, and if a true man's heart be in you, you will honor us for the deed. We have done that which you applaud your fathers for doing, and if we are murderers, *so were they*."[76] In other words, Douglass appeals to socially approved (white) male acts of violence—the violence enacted by the white revolutionary "fathers" in their struggle for freedom—to justify the violence of Madison Washington and the other slaves in their quest for freedom.[77]

Again, none of this is meant to promote a status quo position with respect to gender or race. Feminist and womanist theorists, as well as other critics concerned with gender equality, are right to highlight the tensions in Douglass's various freedom narratives—in particular, his failure to challenge the patriarchy of his day and his embrace of white masculinist ideals. Granting these tensions, Douglass's imperfect attempts nonetheless challenged the white imaginary both to rethink it views of blackness and to confront the contradictions of its own violent, irrational practices. Douglass's literary battles, both his victories and his defeats, mirror his struggles to break free from white constraint not only in the form of slavery but likewise in his relations with white abolitionists, in particular, his complex relationship with William Lloyd Garrison. As Sundquist observes, Douglass's ongoing identity formation was constituted in relation to a series of both white and black father figures. Douglass's revisions to his autobiographies is in part motivated by his struggle to grapple with not only his present/absent white master/father (Aaron Anthony) but with the black rebel Nat Turner, the black hero Madison Washington, the white founding fathers, and white abolitionists such as Garrison. Through creating his own version of Madison Washington and his multiple versions of himself, Douglass engages in an act of self-fathering. In this stage of his life, Douglass refuses his role as Garrison's "text" and creates a new, living, ever-revising "self-text," or as Sundquist puts it, a "self-fathered figure combining black and white ideals."[78]

Through his mastery of "the codes of Anglo-American bourgeois white masculinity," Douglass sought to create a black male hero "who would both win white converts to the antislavery struggle and firmly establish the reality of black manhood."[79] By choosing to birth his black male characters through white masculinist "codes," Douglass's successes on one front become failures on another. Nevertheless, given his context of oppressive structural racism and entrenched patriarchy, it is difficult to imagine how he could have navigated an error-free path. Perhaps an all-out frontal attack on both racism and patriarchy would have resulted in alienating those (males) possessing the political power and cultural capital necessary to bring about significant social change. Such is the complexity of our human condition and the difficulty of outmaneuvering both Scylla and Charybdis.

Transgressing Naturalized Gender Tropes and Douglass "The Woman's-Rights Man"

Along with many contemporary feminist theorists, I reject the claim that rational excellence, autonomy, verbal mastery, and so forth are distinctively masculine features, as well as the claim that care, nurture, and emotional openness are distinctively feminine features. In agreement with Joan C. Tronto, I contend that it is a fundamental mistake for feminists to equate care, nurture, or emotional capacities with "female" per se, as such an equation assumes a gender essentialism that neither saves the phenomena of our lived experience nor helps promote gender equality.[80]

All of the aforementioned attributes are present in both males and females in varying degrees. The notion of the independent, autonomous, American self-made man (male) speaks not of any essential male qualities; nonetheless, it is part of a social narrative that creates social identities that then function as norms of what it is to be male. Likewise, socially (and historically) constructed notions of what it is to be female—dependent on one's father or husband, submissive, domestic, and so forth—serve as norms defining "true" femininity. As Kimberly Drake observes, in nineteenth-century America both male and female slaves and former slaves had little choice—if they wanted to be heard in white America—but to speak in the gendered grammar of the dominant society's narratives. "Forced to adhere to the norms of the opposite gender under slavery, ex-slaves would attempt to re-create themselves in their narratives as true specimens of their [socially constructed] gender role."[81] This helps us to understand in part why, for example, we find Frederick Douglass vigorously embracing masculinist tropes to express his struggle for freedom.

However, given their desire to subvert the slave system and to bring to light its exploitative and dehumanizing practices, black writers also purposely transgressed the gendered, normalized tropes, thus calling such norms into question. For example, in Harriet Jacobs's autobiography *Incidents in the Life of a Slave Girl*, Jacobs both adopts the dominant culture's view of the domestic female mother and yet asserts her own independence, autonomy, and rational excellence as she critiques the common patriarchal practices of sexual violence against black women. In Jacobs's narrative we find a complex, heteroglossic discourse expressing both a longing to enter into her culture's socially constructed notions of femininity and a condemnation of the socially accepted practices that systematically denied black women "access to culture's definitions of femininity."[82] Moreover, given her white audience and its scripting of the black woman as the arch-seductress, Jacobs makes an extremely courageous rhetorico-critical move when she publicizes "her own attempts to use her sexuality as a form of resistance to her oppressor."[83] Rather than give in without a "fight" to the repeated sexual advances of her master Mr. Flint, Jacobs intentionally begins an erotic affair with another white man, Mr. Sands. Here we see Jacobs exhibiting so-called masculine traits such as courage and autonomy, as well as engaging in deliberative resistance strategies.

We find similar gender tensions in Douglass's account. In particular, Douglass's account is saturated with emotive language and a longing for community and deep relational bonds—all of which are supposedly essential features or signs of the "feminine." Moreover, in his later autobiographies even when he takes up his role as self-made Representative Man, he reveals his doubts and fears, as well as his recognition of the many others that made his public role possible.[84]

Before concluding my section on Douglass, I want to comment briefly on Douglass's work for women's suffrage.[85] As I have argued throughout this chapter, on the one hand, Douglass was shaped by the gender narratives of his day, and on the other, he consciously and willfully engaged in subversive rhetorical strategies in order to challenge various hegemonic discourses. I have emphasized how Douglass's use of reverse discourse and other discursive arguments and rhetorical practices undermined the "logic" of the racist proslavery narratives. Likewise, I have acknowledged Douglass's complicity in the entrenched patriarchy of his day. However, here I want to complicate things further (as if they are not complicated enough) by highlighting how Douglass's advocacy for (white) women's suffrage was yet another strategic move that allowed him to challenge (white) patriarchal structures in the political sphere.

As Gary L. Lemons and others feminist theorists have observed, Douglass's labor for women's voting rights does not have black women in view but is directed at white, educated women.[86] I do not contest this claim; however, my focus is to foreground Douglass's intentional, transgressive maneuverings within and through the dominant discourses—imperfect maneuverings allowing him to bring into sharp relief the contradictions of (white) patriarchal "logic" wherein freedom and equality for all takes on a decidedly pale hue and masculine embodiment.

Earlier I drew our attention to the fact that Douglass's later autobiographies evidence an increasing willingness to expose his insecurities and to acknowledge the inestimable contributions of others in his struggle to (re)define his subjectivity and to fashion himself as the "self-made" Representative Man for black Americans. In chapter 18 of his third and final autobiography, *Life and Times,* Douglass acknowledges the role that white women played in the struggle to end slavery. He then discusses his own involvement with the women's suffrage movement, which as he puts it, earned him the label "a woman's-rights man"—a label that he embraced unashamedly.[87] Douglass goes on to acknowledge the role that Elizabeth Cady Stanton, a white women's rights activist and fellow abolitionist, had in shaping his thinking concerning women's suffrage. "I could not meet her arguments except with the shallow plea of 'custom,' 'natural division of duties,' 'indelicacy of woman's taking part in politics,' the common talk of 'women's sphere,' and the like."[88] Quite openly and straightforwardly, Douglass admits that his objections were insufficient and based on unjustifiable assumptions and biases. Stanton's arguments for equal rights for women in light of their shared human nature and God-given inalienable rights have, in Douglass's estimation, yet to be "successfully refuted."[89]

Throughout chapter 18 of *Life and Times*, Douglass affirms female reasoning capacities, seeing no qualitative or so-called natural differences between the sexes' abilities for rational engagement.[90] However, given the educational advantages that were afforded white women, Douglass thought it more prudent (strategically speaking) to focus his efforts on securing the voting rights of black men, as well as joining forces with white women suffragists. Acutely aware of the asymmetrical power relations and the authority wielded by white, upper-class males, Douglass had to navigate exceedingly complex social justice issues on both race and gender fronts. Having lived in the "master's house," Douglass was cognizant of the limits of white women's formal authority; yet, he was also aware of the informal influence elite, educated white women had upon their husbands. By aligning himself with women's rights advocates, Douglass was able to call into question the injustices and inconsistencies of white patriarchal legal structures and political practices in a manner that simultaneously aided his own efforts to achieve greater political equality for blacks.

In Douglass's view, which has not escaped the criticism of black feminist theorists, the attainment of black male voting rights must take precedence over securing voting rights for black females. In other words, Douglass saw such an approach as the best way forward, strategically speaking, given his white patriarchal context. In Douglass's vision, once black men were granted a more equal and viable political role in society, they would then be in a better position to protect and help black females gain the right to vote. Here as bell hooks observes, Douglass like other black male leaders in the nineteenth century continued, even if well intended, to solidify the dominant essentialist narratives of the dependent, incomplete woman in need of male protection and provision and whose "natural" place resides in the domestic sphere.[91]

Interestingly, Douglass uses the term "natural" quite frequently in his women's suffrage speeches and writings. Although at times his use of the word suggests a wide variety of meanings, Douglass's use of the term in conjunction with the notion of "rights" (i.e., *natural* rights) speaks of that which humans possess given the kind of being they *are*. For example, in his 1870 text "Woman Suffrage," Douglass states, "Our natural powers are the foundation of our natural rights."[92] In Douglass's view, rational and volitional capacities or powers are essential ontological features of human beings. Moreover, Douglass was convinced that both men and women possess these capacities. Not only do all humans possess these capacities, but our awareness *that* we are reasoning beings endowed with the power to choose x rather than y suggests that these capacities serve a purpose. If we *are* free beings, then we have a natural right to express that freedom.[93] For Douglass, such powers should be employed by all for the public good; thus, for the state to deny a woman the legal right to vote (simply because she is a woman) is also to violate her natural right as it infringes upon her personal freedom as a human being (equal in nature to a male) and a citizen of the state to pursue, as the Declaration of Independence puts it, "life, liberty, and happiness."[94] Like her male counterpart, females qua human beings naturally seek to express their rational and volitional capacities concretely—both for their own good as well as the good of the community. Having affirmed that women possess the same "natural abilities" and natural rights as men and thus ought to possess the same legal right to vote, Douglass concludes that the "reasons" for denying women suffrage amount to "custom" and "deeply rooted prejudice."[95] As rhetor extraordinaire Douglass exposes the dominant (male) thinking of his day as irrational and chauvinistic. He closes his text with yet another reverse discourse improvisational riff on a well-known biblical verse about truth and freedom: "The truth can hurt nothing which ought not to be hurt, and it alone can make men and women free."[96]

In short, while feminist and womanist critiques of Douglass's complicity in the patriarchy of his day and his periodic adoption of gender essentialist tropes are correct, Douglass's failures in these areas do not negate his many contributions as a social activist for the cause of freedom, justice, and equality. Rather, his failures signal the need for ongoing interrogation and critical analysis of those who have gone before us in order to make sure that political or citizen freedom is not denied to any human being on the basis of race, gender, sexual orientation, and the like. Additionally, I highlighted that Douglass was acutely aware of his diverse audience and of the different levels of social and political sway (or lack thereof) that each held. Consequently, he chose what, in his estimation, appeared as the best possible sociopolitical alignment in light of the patriarchal and racially biased context he inhabited. As Lemons explains, Douglass "had to adopt a discursive voice and tone that did not alienate those white men and women who had supported the abolition of slavery or offend white suffragists."[97] Douglass's dual role as Representative (black) Man (male) for all "Negros" and his status as a leading black voice in (white) women's suffrage was wrought with inner tensions and yet exhibited boldness, compassion, and ingenuity in the face of tremendous opposition and social pressures that would render most paralyzed.

Like Douglass, Fanon, too, is a social critic par excellence who speaks unequivocally to exploitative practices, paying particular attention to European colonial practices and other-scripting discourses. Unlike

Douglass, Fanon was granted formal educational opportunities; consequently, he is in critical dialogue with a number of European thinkers including Hegel, Sartre, and Merleau-Ponty to name a few. As we "dwell" with Fanon, listening attentively to his "lived experience of the black man" and his critique of European practices and philosophical theories, we must also attempt to uncover the basis of his moral critique and his complex relationship with humanism. Having accomplished these tasks, we shall then be better situated to engage our premodern dialogue partner, John Duns Scotus.

CHAPTER 4

Fanon on Decolonizing Colonized Subjectivities and the Quest for an Historically Attuned Symphonic Humanism

Introducing Frantz Fanon

David Scott, in his book *Refashioning Futures: Criticism after Postcoloniality*, identifies what he calls the Fanonian "narrative of liberation."[1] On Scott's interpretation, Frantz Fanon's work *The Wretched of the Earth* is a brilliant elaboration of the latter's version of an emancipatory narrative (i.e., "narrative of liberation") in which we encounter "a more or less structured story that progressively links (through such generative tropes as Repression, Alienation, Consciousness, Awakening, Resistance, Struggle, and Realization) a past and a present of Domination to an anticipated future of Freedom."[2] In this narrative, a "teleological rhythm" unfolds as a subject or subjects struggle against "a repressive power that denies the subjugated their essential humanity, and whose absolute overcoming constitutes the singular objective and destiny of the struggle."[3] As the plot thickens, we follow as the subject "moves from alienated dehumanization to self-realization" and toward a postulated "'beyond' in which there emerges a new and unencumbered humanity."[4] Although I shall draw primarily from Fanon's text *Black Skin, White Masks*, rather than *The Wretched of the Earth*, the process of decolonizing colonized subjects elaborated in the latter work overlaps significantly with his account of the lived experience of the black in his former work. Like most great thinkers Fanon's thought process is complex, exhibiting varied emphases and changing over time. Fanon is more than willing to alter, adapt, and expand his views, depending upon the particular, concrete situation. Employing my improvisational approach to texts, the present dialogue foregrounds Fanon the humanist.

Like Douglass, Fanon recounts his own sufferings as a black other scripted by a racialized authoritative discourse. Unlike Douglass, however, Fanon, born a little over a century later on July 20, 1925, and a native of the French colony Martinique, belonged to a small group of black Martinicans afforded the opportunity to study at the Lycée.[5] As Pal Ahluwalia notes, "Growing up within the French system of education had a profound influence on Fanon," one designed to impress upon his mind the idea of a natural, even necessary connection between France and liberty "that made every French colonial subject believe that they were linked inextricably to France."[6] Seeing himself at that time as one to whom the French slogan *liberté, égalité, fraternité* applied, Fanon decided to join the Free French Army in 1944 to fight against Germany. His wartime experiences brought about a crisis in his identity. In Martinique, Fanon had always thought of himself as French. However, when he joined the French Army, he encountered his first bitter taste of racism both from fellow soldiers and from the French population—in spite of the fact that he had been awarded the "Croix de Guerre for bravery."[7]

Returning to Martinique and attempting to piece together his fragmented identity, Fanon decided to utilize the scholarships available for war veterans and thus went to study medicine first in Paris and then eventually at the University of Lyon.[8] He defended his medical thesis in 1951 and then began his residency in psychiatry at the Hôpital de Saint-Alban.[9] During this period of study, Fanon found himself amid a community pierced with racial strife; yet, this was also a time when he was exposed to new political ideas. In October 1952 Fanon married Marie-Josèphe Dublé, and in the following year (November 1953), they moved to Algiers, where Fanon served as medical director of Blida-Joinville Hospital, Algeria's largest psychiatric hospital.[10] While serving at this hospital, Fanon "came into close contact with Algerians fighting for independence as well as French police officers, both victims of the colonial experience," and eventually joined forces with "the Algerian freedom fighters in their struggle for independence from French colonization."[11] Compelled by his conscience given the atrocities he witnessed in Algeria, in 1956 Fanon resigned from his position as medical director of Blida-Joinville Hospital.[12] That same year Fanon wrote *Toward the African Revolution*, in which he highlights the complex role Algeria played in the French colonizing project.

> Algeria, a settlement transformed by decree into metropolitan territory, has lived under police and military domination never equaled in

> a colonial country. This is explained first of all by the fact that Algeria has practically never laid down its arms since 1830. But above all, France is not unaware of Algeria's importance in its colonial structure, and its obstinacy and its incalculable efforts can only be explained by the certainty that Algeria's independence would very shortly bring about the crumbling of its empire. Situated at France's gateway, Algeria reveals to the Western world in detail, as though in slow motion, the contradiction of the colonial situation.[13]

In light of Fanon's active involvement with radical political movements, he was expelled from Algeria in 1957. Now known as a committed member of the National Liberation Front (FLN), Fanon was subject to several assassination attempts.[14] In 1960, he was diagnosed with leukemia and died the following year while seeking medical treatment in the United States.

As Ahluwalia underscores, "Fanon's Algerian locatedness is critical."[15] Employing Abdul JanMohamed's distinction between a "specular" and a "syncretic border intellectual," Ahluwalia categorizes Fanon as a specular border intellectual par excellence.[16] According to JanMohamed, while both types are border intellectuals in that "they find themselves located between (two or more) groups or cultures, with which they are more or less familiar, one can draw a distinction between them based on the *intentionality of their intellectual orientation*" with respect to a particular culture.[17] In contrast with the specular type, the "syncretic border intellectual" is more "'at home' in both cultures" and "is able to combine elements of the two cultures in order to articulate new syncretic forms and experiences."[18] While equally acquainted with and knowledgeable of both cultures, "the specular border intellectual" is not able to find a "home" in either culture and operates in a liminal existence. Straddling multiple communities, "the specular intellectual subjects the cultures to analytic scrutiny rather than combining them; he or she utilizes his or her interstitial space as a vantage point from which to define, implicitly or explicitly, other utopian possibilities of group formation."[19] Fanon, operating in his own "interstitial space" and having experienced the contradictions of the colonial system, is compelled to challenge the Enlightenment's proclamation of "the triumph of reason and the promises of the French empire that, at least theoretically, accorded to its colonial subjects the same rights as in the metropole."[20] Fanon's suspicions about the universal application of the French appropriation of Enlightenment-inspired narratives of progress and freedom for all eventually grew into discontent and disillusionment. As Fanon grappled with the "absurdity of the colonial world" and its "dehumanizing effects on the Algerian population," he began "to consider the possibility of a new society in which both the coloniser and the colonised are transformed through a new humanism, one that is by no means the humanism of the Enlightenment."[21]

Fanon's Schemata and the Train Episode

In his first book, *Black Skin, White Masks*, Fanon begins to sketch the borders of this new humanism by chronicling his own journey and struggle to carve out a new identity, theorizing and offering phenomenological and existential analyses of the construction and deconstruction of colonized subjectivities. As Fanon argues, a phenomenology of blackness—the experience of skin difference and of being the black other—becomes manifest only in the encounter with whiteness or, more precisely, the white imagination.[22] That is, in a mostly black community in the Antilles, Fanon recalls that he was "content to intellectualize these differences"; however, once he entered the white world and felt the weight of the "white gaze," he experienced his otherness and became aware of racial attitudes, which up to that point had not existed for him.[23] In chapter five of *Black Skin, White Masks*, entitled "The Lived Experience of the Black," Fanon recounts his experience on a train of being "fixed" by a white other—an other who happened to be a child who had already been habituated to see blacks as defined by the dominant (white) narratives. As the child's refrain, "Look! A Negro!"[24] crescendoed forth and came to a close with a fearful questioning of the "Negro's" next move, Fanon not only experienced the gaze of the white other, he also began to see himself through the white gaze.[25]

> I cast an objective gaze over myself, discovered my blackness, my ethnic features; deafened by cannibalism, backwardness, fetishism, racial stigmas, slave traders, [. . .] Disoriented, incapable of confronting the Other, the white man, who had no scruples about imprisoning me, I transported myself on that particular day far, very far, from my self, and gave myself up as an object. What did this mean to me? Peeling, stripping my skin, causing a hemorrhage that left congealed black blood all over my body. Yet this reconsideration of myself, this thematization, was not my idea. I wanted simply to be a man among men.[26]

As Fanon takes up the white view of himself, he experiences its all-encompassing reach. That is, his becoming a white-defined black other involved more than his present encounter with the child on the train; it involved also being swallowed by a past, a long tradition of white erasure and rescripting of black history and culture. In other words, not only is his present fixed by the white other, but his past is fixed as well. This story of the Negro is so well-known that the unison refrain—"cannibalism, backwardness, fetishism"—comes from a child, acting as a mouthpiece of the dominant culture, singing effortlessly of the black other's story as if reciting a schoolyard nursery rhyme.

A few paragraphs before his description of the train episode with the child, Fanon mentions Merleau-Ponty's corporeal schema and emphasizes the difficulties that a black person experiences in a white-scripted world due to his skin color and the various meanings given to these and other embodied differences. In brief, Merleau-Ponty's phenomenological project is in part directed against Descartes's mind/body dualism and Kant's geometricized view of space. As is the case generally in the phenomenological tradition, Merleau-Ponty rejects dichotomous divisions of inner and outer, subject and object that characterize much of modern philosophy.[27] The body is not an inert object (*res extensa*) among other objects that a thinking thing (*res cogitans*) comes to know.[28] Rather, according to Merleau-Ponty, the body "is the vehicle of being in the world and having a body is, for a living creature, to be intervolved in a definite environment, to identify oneself with certain projects and be continually committed to them."[29] In this view, the body inhabits the world and is called forth by the immanent structures of things in the world.[30] To say that we are called forth by the structures of objects is not to say that we as embodied agents are affected merely passively by objects. As we encounter things in the world, we attend actively to them and choose how to act in response to their directives. Likewise, things and the world have their own integrity and are not constituted by Kantian a priori structures of space and time or categories of the understanding. As Merleau-Ponty explains,

> The world is there before any possible analysis of mine. [. . .] The real is a closely woven fabric. It does not await our judgment before incorporating the most surprising phenomena, or before rejecting the most plausible figments of our imagination. [. . .] The world is not an object such that I have in my possession the law of its making; it is the natural setting of, and field for, all my thoughts and all my explicit perceptions.[31]

Things in the world are infused with meanings and exhibit unity or what Merleau-Ponty calls "style." Style speaks of the distinctive characteristics of a person or thing distinguishing that person or thing from others. For example, when listening to a trumpet solo, jazz connoisseurs recognize immediately that the performer is Miles Davis rather than Dizzy Gillespie. Each musician has a distinctive style that makes him what he is—the way he pushes air through his trumpet, whether he plays staccato or legato phrases, how he chooses to place high notes, silences, and so forth. Style is neither reducible to a "collection of perceptions" nor to laws that govern perceptions; however, once recognized and specified, it manifests a self-evidence "which we feel no need to define."[32] As mentioned previously, things call out to us, and in our act of perception, which involves an active focus or attending, we respond to their directives. For example, by attending actively to Miles Davis's trumpet solo, instead of focusing on the rhythm section, we respond willfully to what it has to say to us, allowing the rhythm section to recede into the background. Miles Davis's style, although distinguishable from the background or auditory field created by the other musicians, is nonetheless intimately connected to it and arises from within it.[33]

In addition, our embodied existence and relationship with the world are such that we are attuned to the world and adjust ourselves noncognitively to its directives. For example, when someone whispers to us and we have trouble hearing what is said, we turn our ear toward the person unreflectively, "tuneout" the announcements broadcast through the loudspeakers, and move closer so that we might hear what he or she is saying. As Merleau-Ponty explains, to have a body "implies the ability to change levels [of perception] and to 'understand' space, just as the possession of a voice implies the ability to change key. The perceptual field corrects itself and [. . .] I identify it without any concept because I live in it."[34] In short, as Taylor Carman puts it, perception, then, is "the body's intelligent orientation in the world."[35] Carman likewise provides a helpful explanation of the corporeal schema. As he observes, our perception is "informed by what Merleau-Ponty calls a 'body schema' (*schéma corporel*), which is neither a purely mental nor a merely physiological state. The body schema is not an image of the body, and so not an object of our awareness, but rather the bodily skills and capacities that shape our awareness of objects."[36]

The corporeal schema, then, speaks of how we posture and conduct ourselves in relation to the world and its objects. The fact that we are free agents and not mere passive recipients caught in a causal nexus allows us to engage the world actively. Here Merleau-Ponty's account of perception as active rather than passive and his understanding of our comportment in the world by way of the corporeal schema highlight the body's free agency in its ability to both disclose and transform the historical world.[37] In so far as an embodied subject is able to step back from the phenomenal field, participate in and alter intentionally its historico-cultural horizon, it is free; in so far as its capacity for expression and its ability to reconfigure its own history and given context are denied, its freedom is significantly diminished and in some cases almost eradicated. Where the freedom described earlier is blocked or severely constrained, it is as if the subject is somehow entangled or enmeshed in her environment involuntarily, having no way to emerge and distinguish herself from the phenomenal field in which she finds herself.

Fanon, although appreciative of Merleau-Ponty's emphasis on our embodied being-in-the world, is ultimately unsatisfied with what he takes as the latter's overly generic schema and thus introduces his notion of an historico-racial schema as that which is imposed by the white other. For Fanon, Merleau-Ponty's inclusive, universal rendering of the corporeal schema does not account for the disparity of experience between whites and blacks in a colonized and racially oppressive context. As Jeremy Weate explains, "In the interracial encounter, the White is able to participate in the schematization of the world, whilst the Black may not, for his skin difference closes down the possibility of free agency."[38] I do not interpret Weate to claim that free agency for the colonized black person is completely blocked; rather, I see his statement as speaking in a rhetorical key in order to foreground the reality of the way in which embodiment signifies differently, especially in a racially oppressive context. After all, as we saw in Douglass's narrative of his various acts of resistance, even a slave enduring the wretched existence of living in a full-blown chattel slave society is able to exercise his or her free agency.

As mentioned previously, Fanon emphasizes how the history of black people is simultaneously erased and rewritten by the white imagination. This revisionist history defines what a black person is—intellectually inferior, in need of a (white) master, culturally incapable of contributing something of value to (white, European) society, and so on. The black person is thrown into this narrative (in medias res) with his part rigidly scripted and his subjectivity constructed according to the dominant culture's interpretation of his "essence" and history. Although the colonized find themselves "written into" this (white) story, Fanon claims that a time comes when the subjugated—often through a specific, painful event in which they are confronted personally with racism—begin to accept and internalize the mythology.[39]

Fanon's dramatic retelling of the train episode and the pretheoretical racial assumptions apparent in the child's remarks about him and black people in general serves a twofold function. First, the narrative calls attention to the deficiencies of Merleau-Ponty's corporeal schema. For example, in a colonized context, if a black man leaned too closely toward a white woman in order to hear her utterance, his bodily comportment would be interpreted quite differently from a white man's.[40] The white man is free to adjust his bodily attunement in order to hear the white woman, whereas the black man is not. What should be an ordinary, noncognitive bodily adjustment becomes for the black man a movement that must be scrutinized from as many perspectives as possible, lest the "wrong" move cost him his life. Such an asymmetrical restriction of the black man's freedom to make bodily adjustments of this sort prevents him from developing a personal "style" which would enable him to emerge and differentiate himself from the phenomenal field in which he finds himself.[41] Second, the narrative highlights the way in which phenotypic or so-called racial[42] differences—given the dominant narrative's negative interpretation of these differences—result in the oppressed group living in what amounts, sociohistorically speaking, to a different world than the dominant group. Not only is the black person hindered, for example, in his personal intellectual development, but his bodily comportment—spatial proximity to the white person, whether or not to make eye contact with the white person, and so forth—must be scrutinized constantly so as not to overstep the ever-moving, invisible boundaries of a constrained, paranoid existence.

Reflecting upon his own and others' negative experiences of embodied difference in a racialized context, Fanon develops his historico-racial schema as a corrective to the failure of phenomenology to acknowledge that a black person *has* a world quite different from that of a white person. In addition, Fanon also elaborates what he calls a "racial-epidermal schema." Whereas the historico-racial schema brings to light the historical contingencies and interpretative maneuverings constituting the narratives imposed upon blacks, the racial-epidermal schema speaks to the sedimentation of the so-called black essence. In other words, once the new narrative of what it means to *be* black has become naturalized—fixed in the social consciousness and incorporated in the dominant discourses as well as the cultural and legal practices—the black essence is born.[43]

Interiorization of the White Gaze

Once we transition to the racial-epidermal schema, the all-pervasiveness of the white gaze functions similarly to panoptic surveillance, keeping the black person under constant inspection.[44] Though speaking of the incarcerated, Michel Foucault's depiction of the inmate as "the object of information, never a subject in communication" is a fitting description of the situation of black colonized subjects vis-à-vis their white colonizing counterparts.[45] As was the case with Fanon's account, the racial-epidermal schema rigidifies and blackness is essentialized via dominant discourses, legal injunctions, and the establishment of various sociopolitical apparatuses and practices ensuring that the asymmetrical power relations remain one-sided and fixed. Similar to the Panopticon's ability to "disindividualiz[e] power" and distribute it through various sociopolitical institutions and technologies, Fanon's schemata point to the systemic racial structures of a colonized society.[46] The disciplinary practices and apparatuses constituting colonialism, though not identical to the disciplinary practices and institutional mechanisms Foucault describes, nonetheless share close family resemblances with "a machinery that assures dissymmetry, disequilibrium, difference."[47] The racial-epidermal schema, broadly construed to include these grid-like "disindividualized" power relations, enables even the most vulnerable and innocent members of society—the child on the train—to be an instrument of as well as an active participant in the racialized discourses and apparatuses. Even if we grant that the child, because of his lack of cognitive development, is a nonculpable participant in furthering racism and racial discourse, nonetheless, the effect—unreflective racism in children—is a reality that confronts the black other on a daily basis and forces him to experience his phenotypic differences via the distorted perspective of the white other.

Describing his own encounter with the "white gaze," Fanon writes, "I am overdetermined from the outside. [. . .] The white gaze, the only valid one, is already dissecting me. I am fixed. Once their microtomes are sharpened, the Whites objectively cut sections of my reality."[48] Fanon's body, particularly his ever-present, always exposed black skin, "overdetermined," dissected, and pieced together out of white-constructed meanings, takes on a life of its own. This hewn-together, socially constructed self eventually internalized by the colonized subject functions like a reverse shadow whose form establishes the boundaries of one's being while simultaneously obscuring future paths. As the encounter with the child continues and the refrain sounds once again, "Look, a Negro! Maman, a Negro!," the mother, somewhat nervously, says, "Ssh! You'll make him angry. Don't pay attention to him, monsieur, he doesn't realize you're just as civilized as we are."[49]

Given the significance in the colonial project of "culture" and determining who is and who is not "civilized," it is instructive to examine briefly what some of the more well-known European philosophers have written on these topics. As Kant, Hegel, and other Western philosophers have asserted, the Western tradition, for which white European culture becomes the surrogate, is the standard for determining whether a nation has a culture or could possibly become cultured and civilized, and thus appear on the world historical stage at all.[50] For example, Kant, paving the way for Hegel, claims that true history begins with the Greeks and that non-Greek peoples are validated only through contact with the Greeks. On Kant's estimation, the (non)histories of non-Greeks are simply "terra incognita," an amorphous X, lacking (Western) form and thus unable to appear as intelligible. He then turns to the Jews to illustrate how a nation may enter a state of historical and cultural recognition. "This happened with the Jewish nation (Volk) at the time of the Ptolemies through the Greek translation of the Bible, without which one would ascribe little credibility to their isolated records. From that point forward (if this beginning has been properly ascertained) one can pursue its narratives. And thus with all the other nations (Völkern)."[51]

In his lectures on the philosophy of history, Hegel takes up this same line of thinking; however, in order to justify his position, he provides an elaborate narrative in which *Geist*'s presence or absence indicates whether a nation has historical, cultural, or sociopolitical significance.[52] One might go as far as to claim that the mother's remark to Fanon has its own genealogical history, which is consonant with the Western philosophical tradition; her awareness of this history matters little. Approached in this manner, echoes of Hegel's depiction of Africans as cannibalistic can still be heard in the child's cry, "Maman, the Negro's going to eat me."[53]

All of these discourses—whether philosophical, (pseudo)scientific, or idle chatter on the train—comprise the many pieces of Fanon's constructed self. Once the dominant (white) discourses about blacks solidify and are dispersed through various institutions, power relations, and formal as well as informal communication networks, black subjugation takes root. The external aspect of this subjugation is sociopolitical in nature and is often manifest overtly, for example, in discriminatory legislation and unequal educational, employment, and housing opportunities. The internal aspect comes when the black person can no longer bear the weight of the white alienating gaze and finally internalizes the narrative. To return to Foucault's metaphor, when the black person breaks down and accepts the white *mythos*—and we saw this with Douglass's description of slave subjectivities as well—there is a genuine sense in which panoptic surveillance is no longer needed.[54]

In short, Foucault's account of the effects upon incarcerated persons—those constantly seen but never seeing—is analogous to the experience of blacks in a colonial or similarly racialized context. Aware of his subjection "to a field of visibility," the prisoner takes upon himself "the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection."[55] In other words, external power, whether expressed in physical presence or physical force, becomes, practically speaking, superfluous. When the gaze has been internally inscribed, ongoing incarceration characterizes the prisoner's existence.

Resistance through (Re)narration, Fanon's Relation to the Négritude Movement, and Warring with Words

In Fanon's description of his self-fragmenting descent, he draws attention to the sense of powerlessness he felt in a colonized context wherein misrecognition by the white other was the norm. Even so, Fanon acknowledges the black person's agency or active participation in the present unfolding of this already given white-scripted history. For example, his statements "I transported myself" and "gave myself up as an object" acknowledge Fanon's agency, his own active involvement in accepting the white mythology.[56] This willful decision, no doubt strained and made under psychological and emotional pressure from the dominant society, proves harmful to Fanon; nonetheless, this ability to choose, to act as a free (yet greatly constrained) agent highlights the fact that the black person in a colonized or similarly oppressive context is in reality not a mere *res*, a thing determined from the outside and lacking genuine freedom. Fanon, in fact, makes numerous statements affirming his freedom—a freedom that involves his ability to renarrate his subjectivity and to refuse to be shackled by a pregiven white narrative.

> I find myself one day in the world, and I acknowledge one right for myself: the right to demand human behavior from the other. And one duty: the duty never to let my decisions renounce my freedom. [...] I am not a prisoner of History. I must not look for the meaning of my destiny in that direction. I must constantly remind myself that the real leap consists of introducing invention into life. In the world I am heading for, I am endlessly creating myself.[57]

These declarations in no way undermine Fanon's schemata, particularly his account of the coming-into-being of a socially constructed black essence once the racial-epidermal schema has been solidified. This is the case because neither the construction nor the subsequent establishment of "blackness" is a necessary occurrence. Rather, as contingent inventions, they can be reinvented. Consequently, Fanon's agonized cries of alienation throughout *Black Skin, White Masks*, although genuine and intensely felt, should not be interpreted as despairing last words. Rather, he calls the agent to action, to refuse to be a "prisoner of [white-scripted] History" and to create and to live a new narrative. There are of course many ways that one can actively resist dominant discourses. However, the ability to resist, as both Foucault and Douglass attest, presupposes an agent with volitional and rational capacities.

All of our major dialogue partners so far—Foucault, Douglass, and Fanon—agree that the existence and exercise of power relations assume free subjects. Thus understood and granting that our lives as political, free agents are always already interwoven with others, power relations constitute the fabric of human society. Put more provocatively, society is just a multifaceted network of interlocking power relations among individuals and groups. Recall Foucault's claim that power is everywhere and relations of power are inescapable. As I emphasized in the chapter devoted to Foucault, in light of his insistence that such relations require free subjects, the ubiquity of power relations in no way annuls the subject's agency. Furthermore, power relations are not homogeneous but exhibit a range of manifestations, qualitative differences, and resistance possibilities. If, for example, a person were chained to the wall of his prison cell, having no mobility whatsoever, according to Foucault, a power relation no longer exists between him and his captor(s). The chained prisoner image, in other words, functions as a limit concept, as even in situations of extreme oppression such as chattel slavery and colonization, those subjugated still have a field of possibilities in which to maneuver, resist, and subvert the imposed hegemonic order. Slavery and colonialism, though pushing the boundaries of power relations, thus remain "within the fold," representing negative, dominating power relations. The upshot of this less-than-ideal situation is that the dominated members of power relations are by definition free subjects capable of resistance, even though their activities, development, and existence are severely restricted and attenuated. Thus, the possibility, for instance, of rewriting one's subjectivity or joining forces with others to engage in more systematic resistance tactics is always open. The present order is not a necessary order; rather, it is historical and contingent, open to alteration and even transformation. Fanon no doubt agrees, as both his writings and his life devoted to the cause of decolonization and the quest for true *liberté, égalité, fraternité* attest.

While recognizing that colonization and the construction of colonized subjectivities are contingent creations and hence malleable, Fanon nonetheless understood that the process of decolonization and renarrating new, positive identities and conceptions of "blackness" would take time and would proceed in stages. As Ahluwalia observes, Fanon's complex relationship to the Négritude movement can help us to make sense of his strategy to move beyond the "Manichean structure" of a colonized world.[58] Given the significant influence of the Négritude movement and Césaire in particular in shaping Fanon's thought, we must spend some time discussing the movement and how Fanon appropriates and criticizes certain aspects of Négritude's many inflections.

The well-known Martinician surrealist poet Aimé Césaire (1913–2008) first coined the term "Négritude" in 1939 in his work *Cahier d'un retour au pays natal* (*Notebook of a Return to the Native Land*), and is, along with Léopold Sedar Senghor, one of the founders of Négritude.[59] As one is made aware rather quickly when engaging the literature, it is perhaps better to speak of Négritude movements or variations on Négritude themes. Reiland Rabaka, for example, distinguishes between Sartrean Négritude, Césairean Négritude, and Senghorian Négritude.[60] Over against Sartre's claims, Senghor emphasizes the positive value of Négritude in the ongoing process of African identity formation. As Rebaka observes, "Negritude, for Senghor, was [. . .] an affirmation of African humanity that was perpetually open to revision and redefinition."[61] Senghor, very much like Fanon, sought to present a more genuine humanism rather than the pseudo-(racist)-humanism of Europe. That is, Senghor believed that all cultures have something distinctive and important to contribute to humankind and thus promoted, as Rabaka notes, "cultural borrowing" (Senghor's term).[62] However, Senghor is clear that whatever Négritude might appropriate from other cultures, including European culture, would be put to use to strengthen its own (African) tradition and values. Here the idea is to uphold the uniqueness of each culture or contributing group while respecting the values of others and seeking together to better humankind. Moreover, and once again we find common ground between Senghor and Fanon, Senghor's version of Négritude in a more authentic humanistic key "breaks free from Sartre's Hegelian dialectical progression and Manichean thinking, and openly acknowledges that 'the' world, as it actually exists, is not merely a series of binary oppositions between blacks and whites, or Africans and Europeans."[63] Rather, the world, for Fanon and Senghor, consists of multiple choruses and rhythmic movements whose distinctive qualities have the potential to create a symphony—a sounding together; when each part allows the other to be heard, difference can translate into consonant harmony as the various parts contribute toward common goals advancing human flourishing. However, intolerable dissonance sounds when one part seeks to reduce all others to its own voice, a unison voice allowing no variation, improvisation, or syncopation.[64]

Césaire's prose-poem *Cahier d'un retour au pays natal* was viewed by Fanon, Jean-Paul Sartre, André Breton, and numerous others as a revolutionary text.[65] During Césaire's day, educated blacks in the West Indies did everything they could, given their oppressive colonial situation and French education, to deny their blackness; they saw themselves as white and identified with the French elite. Thus, Césaire's poem, calling blacks back not only to their "Caribbean history and culture," but also to their "pre-colonial and anti-colonial indigenous, continental and diasporan African history and culture," scandalized both blacks and whites.[66] In addition to his notion of "Négritude," the second most important theme in *Cahier*, is Césaire's notion of "return." Gaining a better understanding of these two conceptions will enable us to see the deconstructive as well as constructive aims of his project.

In an interview with René Depestre found at the end of *Discourse on Colonialism*, Césaire describes Négritude as "a resistance to the [French] politics of assimilation"[67]; it was the creation of a third way, a way beyond the false dichotomy of a civilized European world and a barbarian African world. For Césaire and others, the struggle for a positive African identity was a "struggle against alienation," and "[t]hat struggle gave birth to Negritude."[68] In light of the degrading, demeaning constructions of blackness internalized by Antilleans, Césaire recognized the need both to deracinate the negative Eurocentric depictions that the colonized had come to accept, and to recapture and reinvigorate the term "*nègre*" with positive, life-affirming, and culturally significant connotations. As Césaire explains, Antilleans had come to associate shame with the term "*nègre*"; consequently, they sought "all sorts of euphemism for Negro; [. . .] That's when we adopted the term *nègre*, as a term of defiance. [. . .] There was in us a defiant will, and we found a violent affirmation in the words *nègre,* and *negritude*."[69] Because blacks had been forced to live a white world, as Césaire puts it, in an "atmosphere of rejection," they came to see themselves as inferior.[70] As a result, Césaire was convinced that blacks must create a new identity for themselves, an identity affirming the concrete reality and beauty of their phenotypic differences: black skin must not be seen as a sign of negativity, ugliness, evil, and so forth. Along the same lines, black history must be reconceived, or rather discovered through black eyes and reinterpreted to the world, as "a history that contains certain cultural elements of great value."[71] In short, Césaire states, "we asserted that our Negro heritage was worthy of respect, and that this heritage was not relegated to the past, that its values were values that could still make an important contribution to the world."[72]

Césairean Négritude, as Rabaka observes, "is wide-ranging and grounded in black radical politics and a distinct pan-African perspective; a purposeful perspective aimed not only at 'returning' to and reclaiming Africa, but perhaps more importantly, consciously creating an (present) authentic African or black self."[73] A concern for solidarity with all colonized and enslaved people of African descent occupied Césaire and will likewise occupy Fanon. Césaire voices his pan-African perspective toward the end of his interview with Depestre. Having acknowledged that he and his colleagues "bore the imprint of European civilization," Césaire then adds,

> [B]ut we thought that Africa could make a contribution to Europe. It was also an affirmation of our solidarity. That's the way it was: I have always recognized that what was happening to my brothers in Algeria and the United States had its repercussions in me. I understood that I could not be indifferent to what was happening in Haiti or Africa. [. . .] And I have come to the realization that there was a "Negro situation" that existed in different geographical areas, that Africa was also my country. There was the African continent, the Antilles, Haiti; there were Martinicans and Brazilian Negroes, etc. That's what Negritude meant to me.[74]

As part of his aim to establish a positive black identity, Césaire pulled from various elements of his French educational training and created something new, something bearing the distinctive marks of the African spirit. For example, Césaire in no way denied but rather affirmed the French influences shaping his work. "Whether I want to or not, as a poet I express myself in French, and clearly French literature has influenced me."[75] Even so, Césaire states emphatically that while elements of the French literary tradition function for him as a "point of departure," his goal has always been "to create a new language, one capable of communicating the African heritage."[76] Here one might draw an analogy between Négritude's relation to French culture and literature and the relation between African American jazz and European classical music. That is, just as African American musicians infused European musical practices with their own distinctive African-inspired rhythms, phrasings, and improvisatory emphases creating a new and unquestionably *African* American music, Césaire, Senghor, and others took elements of the French intellectual traditional and reharmonized them to sound with a decisive African tonal center. "French was a tool that I wanted to use in developing a new means of expression. I wanted to create an Antillean French, a black French that, while still being French, had a black character."[77]

With this new improvisatory language as his weapon, Césaire begins his *Discourse on Colonialism* using a triple staccato firing of single-sentence paragraphs, each carefully crafted to condemn Europe's so-called civilizing mission. Listen to Césaire's diagnosis of a "decadent," "stricken" [*atteinte*], "dying" Western civilization[78]—a Europe revealed as "morally [and] spiritually indefensible."[79]

> A civilization that proves incapable of solving the problems it creates is a decadent civilization.
> A civilization that chooses to close its eyes to its most crucial problems is a stricken civilization.
> A civilization that uses its principles for trickery and deceit is a dying civilization.[80]

Césaire then adds that this European Western civilization for all its claims to Enlightenment and progress has proved "incapable of solving the two major problems to which its existence has given rise: the problem of the proletariat and the colonial problem."[81]

Unlike the white Marxists, including Sartre, Césaire and other black Négritude writers could not separate the class problem from the race problem, nor did they overlook the connection between capitalism and colonialism. As Rabaka observes, "Césaire understands European civilization to rest on the colonization of non-Europeans, their lives, labor and lands. His Negritude, like Du Bois's and James's discourse, was a revolutionary humanist enterprise,"[82] attuned to the sufferings of all those exploited by the machinery of colonialism and slavery. Although appreciative of Marx, the Négritude movement (and Fanon as well) sought to expand and revise Marxist teachings not only to include but also to give top priority to "race"-based economic exploitation.[83] As Césaire puts it, the communists "acted like abstract Communists" in their failure to address the "Negro problem."[84] In contrast, the colonized and enslaved, given their concrete experience of racialized existence past and present, do not have the option to overlook the race question; thus, concludes

Césaire, Négritude has a crucial role to play in the ongoing reformation of Marxism. "Marx is all right, but we need to complete Marx."[85]

Césairean Négritude is thus concerned not only with the "political emancipation" of oppressed blacks but also, as we have seen, one of its chief goals is the creation of a positive black social identity. However, in the context of colonialism, with their past already written and their present constantly under construction, the opportunities afforded the colonized to shape and develop their own identity are severely restricted and practically nonexistent. Because the colonial system is built on the exploitation of blacks and non-European others, the oppressed are increasingly viewed as things or as nonhuman animals. This reduction of humans to the subhuman realm harms both the colonized and the colonizer, and thus leads to the degradation of society at large. Césaire refers to this phenomenon as the "boomerang effect of colonization."[86] As he explains,

> [C]olonization [. . .] dehumanizes even the most civilized man; that colonial activity, colonial enterprise, colonial conquest, which is based on contempt for the native and [is] justified by that contempt, inevitably tends to change him who undertakes it; that the colonizer, who in order to ease his conscience gets into the habit of seeing the other man as an animal accustoms himself to treating him like an animal, and tends objectively to transform himself into an animal. It is this result, this boomerang effect of colonization that I wanted to point out.[87]

In his writings, Fanon also highlighted the damage inflicted upon humankind as the result of colonizing practices. Like Césaire, Fanon was convinced that when humans, through repeated acts of self-deception, eventually habituate themselves to treat other humans as animals and objects, they perform a violence on themselves that has a tendency to produce ripple effects throughout the entire social body, including the "white" part of the body politic.[88]

Césairean Négritude, captured through his powerful prose and his distinctively black surrealist poetry, provided a way for the oppressed to transgress the boundaries of a white world with a "violent affirmation" of black identity.[89] Thus, Negritude serves both a sociopolitical critical function and a productive, creative function enabling the decolonization process to reach not only society in general but also, to sound a Du Boisian note, the very souls of black folks. With these goals in mind, Fanon too, following in Césaire's footsteps, advocates a "*critical return* to the precolonial history and culture of the colonized nation, a radical rediscovery of the precolonial history and culture of the colonized people"[90]; however, this Césairean rediscovery of or return to the precolonial past must not be understood as a quest for some paradisiacal, unsoiled, utopian originary moment, but rather as a critical engagement with the African tradition in order to bring its past to bear upon the present emancipatory struggles.[91]

As was mentioned earlier, this notion of "return" is one of the most important, yet misunderstood aspects of Césaire's thought. For Césaire, the process of decolonization requires a recovery of a precolonial African past. The colonized must strip away the layers of white mythology, which decade after decade taught them to be ashamed of their history and culture, while forcing them to embrace white European values. Thus, in order to go forward and to carve out a new present and future, the colonized must return to their ancestral roots "to learn the lessons of Africa's tragedies and triumphs."[92] Here it is important to stress that this Césairean return is not a call to a romanticized, infallible Africa that must somehow be recreated in the present. Rather, it is a call to rediscover African values—values emphasizing a communal existence and a sharing of goods with one another rather than individualistic, consumer, and capitalistic sociopolitical and economic structures. Thus, Césaire encouraged a return to Africa's past with the aim of a nonrepetitive translation into contemporary society of those sociopolitical principles, cultural values, and ancestral practices lacking in Western "enlightened civilization."

Fanon and Négritude as "Strategic Essentialism"

Unquestionably, Fanon greatly admired Césaire and the Négritude writers.[93] Césaire, in fact, had influenced not only Fanon's own thinking about the need to develop a positive, black social identity, but this bard of black poetry and prophetic prose helped to inspire countless young Antilleans, as Foucault would say, to imagine themselves otherwise. Fanon, however, did more than merely drink deeply from Césaire's intellectual well; he likewise put his teacher's ideas into practice, albeit in a distinctively Fanonian way.[94] Négritude was, after all, a movement concerned with bringing about social change. Like Césaire, Fanon was a pan-Africanist, and although his version of pan-Africanism often brought him into conflict with activists of various stripes,[95] nonetheless, he shared with the Négritude writers a desire to recover African values and to share those values with the world. Of course, Fanon did not embrace every aspect of the Négritude movement. In fact, in his book *The Wretched of the Earth*, Fanon took issue with Césaire's "cultural nationalism," which he believed promoted a "vanguardism and top-down" approach to politics.[96]

As I indicated earlier, Sartre too developed his version of Négritude, which both differed from Senghor's and Césaire's and was in critical dialogue with their respective projects. Here again Fanon's relation with Sartre is just as complicated as his relation with Césaire. For example, although reluctantly, Fanon concluded that some (but not all) aspects of Sartre's critique ought to be taken seriously.[97] As Memmi explains, Sartre had argued that Négritude was a weak phase in the black emancipatory struggle; consequently, Négritude is reduced to a moment of negativity.[98] Fanon agrees that Négritude is a response to the violence of colonization; however, he does not agree that Négritude is mere negativity. Consequently, I find Memmi's criticisms of Fanon overly severe and driven too much by his particular psychological reading of Fanon's failure to return to his West Indian roots. On my interpretation, Fanon's relation to the Négritude movement and his acceptance in part of Sartre's critique is ambivalent and more multilayered than Memmi is willing to grant.[99] On the one hand, Fanon chides Sartre's view of Négritude for having forgotten that "the black man suffers in his body quite differently from the white man."[100] On the other hand, Fanon's agreement with Sartre's assessment that Négritude was a phase through which one must pass rather than abide might be interpreted as something akin to Gayatri Chakravorty Spivak's notion of "strategic essentialism."[101] According to Spivak's account, the subjugated group, in order to move beyond binaries such as colonized/colonizer, develops an essentialist identity to promote group pride and unity, to advance and achieve specific sociopolitical goals, and to foster healing. This stage thus has a decidedly therapeutic function; once its purposes are accomplished, it (qua essentialist narrative, not qua positive social identity narrative) is altered and expanded in order to address new historical contexts and conflicts; hence the denomination, *strategic* essentialism. In other words, Fanon can reject essentialized notions of blackness and still affirm the crucial aspects of Césairean Négritude—the development and continued fostering of a positive, black, *social* identity, a nonrepetitive "return" to and ongoing reappropriation of African values, and a revolutionary call to decolonization and a historically attuned humanism.[102]

In other words, a Fanonian strategic essentialism affirms the reality of black identity as a *social* reality constructed for specific purposes by black subjects under particular historical constraints and contexts. The first stage of the strategy demands a response, which qua first in the long process of identity deconstruction and reconstruction must stand in the starkest terms possible; thus, Fanon accepts a variation of the Hegelian-Sartrean dialectic—Négritude as a dialectical opposite to its thesis, white supremacy.[103] Fanon's dialectic, however, is more historically attuned, as it takes very seriously the differences between black and white embodiment not only in the world but in the *(post)colonial* world. Recognizing that the stages will look different as one moves from the colonial to the postcolonial world (and beyond), Fanon understands that this first-stage binary construction qua essentialist discourse must be reconfigured to address adequately the varied and ever-changing sociohistorical contexts. As strategic essentialism's therapeutic function has its effect, the group will eventually move to an increasingly more complex view of its identity as a social construction, which by its nature is something more than a binary opposite reactionary discourse. This historical movement allows the political, philosophical, and cultural insights gained over time—whether through the Négritude writers or from other quarters, including those Europeans with whom the group critically engaged—to be taken up and reharmonized to meet the group's present needs at this later stage of development.

With my sketch of Fanon's recognition of something like Spivak's strategic essentialism, coupled with Fanon's acceptance of Césaire's nonstatic notion of return and the need to create a positive black identity given the psychological violence exacted on the colonized, we can counter David Scott's criticism of Fanon. According to Scott, "[T]he Fanonian story licenses too unreflective an idea of an essential native subject."[104] More specifically, Scott points to Foucault's rejection of the "repressive hypothesis" as elaborated in *History of Sexuality*, volume 1.[105] In broad strokes, according to the repressive hypothesis, in order to find our true, deepest self and thus lead a felicitous life, we must acknowledge sexuality and our repressed libidinal desires as constituting our core identity. In light of these claims, it is imperative that we liberate ourselves sexually in order to allow what and who we are to manifest itself fully. Foucault is suspicious not only of this particular account of a repressed sexual identity, but also, to use Scott's term, of any "narrative of liberation" thus formulated. Addressing this very issue, Foucault explains,

> I have always been somewhat suspicious of the notion of liberation, because if it is not treated with precautions and within certain limits, one runs the risk of falling back on the idea that there exists a human

> nature or base that, as a consequence of certain historical, economic, and social processes, has been concealed, alienated, or imprisoned in and by mechanisms of repression. According to this hypothesis, all that is required is to break these repressive deadlocks and man will be reconciled with himself, rediscover his nature or regain contact with his origin, and reestablish a full and positive relationship with himself.[106]

As Foucault makes clear a few lines later, he is *not* dismissing or negating liberatory endeavors per se; after all, he acknowledges and affirms throughout his writings subjugated groups who have struggled for freedom from oppression. In the present context, for example, he clarifies his previous comments, emphasizing that he is "not trying to say that liberation as such, or this or that form of liberation, does not exist: when a colonized people attempts to liberate itself from its colonizers, this is indeed a practice of liberation in the strict sense."[107] While acknowledging genuine struggles for liberation, such as those he witnessed in Tunisia, Foucault wants to guard against the notion that once the oppressive or repressive forces are removed, individuals can then be reconciled with their nature or originary self.

According to Scott, Fanon's narrative is a variation on the repressive hypothesis theme applied to the colonized, wherein the latter are redeemed via a return to their "native" identity. "[T]he idea is that the colonized are alienated from a harmonious identity; that this alienation is fostered by colonial institutions that repress the colonized self and prevent the colonized people from achieving a higher and unifying consensus."[108] Not only does Scott worry that Fanon's account of liberation "too often presupposes the metaphysical idea of an essential nature, an essential human foundation that is *prior* to the imposition of the historical repression,"[109] but he likewise maintains that Fanon's understanding of power—because, in Scott's view, cast as primarily repressive—is fundamentally at odds with Foucault's emphasis on the productive side of power. In other words, Scott interprets Fanon's narrative of liberation as focusing chiefly on developing strategies and actions that remove oppressive power from the colonized so that "the self that has been long alienated is restored to itself; the split of alienation, of division, is healed."[110]

Foucault, in contrast, because he stresses the productive aspect of power—as Scott puts it, the ways in which power "produces a *reorganization* of subjectivity and a *reorganization* of the games of truth rather than a repression of essential ones"—approaches emancipatory concerns with a different set of questions. Scott then enumerates examples of typical Foucauldian-type questions: "What is the relation between the colonized/postcolonized subject and the games of truth into which s/he is inserted, through which s/he has been produced *as* a colonized/postcolonized subject? What are the apparatuses, disciplines, and institutions through which colonial/postcolonial subjectification has been enacted?" and so forth.[111]

On the one hand, Foucault writes at a later sociohistorical moment and undoubtedly comes to the subject matter with a different set of questions as he utilizes his own distinctive archaeological and genealogical methodologies. On the other hand, Fanon, as we have seen, is acutely attuned to the social construction of colonized subjects via hegemonic discourses, institutional apparatuses, and panoptic-like surveillance technologies. In light of these overlaps, we ought not conclude that Fanon failed to grasp the productive side of power. Rather, given Fanon's historical context, namely, the fact that he wrote as a black other in a colonized "Manichean" world seeking to decolonize subjugated bodies and souls, it makes sense that he would lay stress on the oppressive side of dominating power relations. Nonetheless, his writings evince a keen awareness of how the colonial system produces not only colonized subjects but colonizers as well, and Fanon sees the need for re-formation for both types of socially constructed subjects. I do, however, agree with Scott regarding the difference between Fanon's explicit appeals to some kind of universal human nature to ground his moral claims and Foucault's guardedness and at times explicit aversion to such claims.[112]

Fanon and Foucault on Humanism and Rejecting the "Blackmail" of the Enlightenment

Fanon's affirmation of a common nature uniting all humans motivates (in part) his desire to articulate a new, more inclusive, "race"-conscious humanism, something much different from the Eurocentric humanism(s) promoted by the Enlightenment yet not completely severed from the latter either. Fanon's experiences as a black other in a white, colonial, "Manichean" world, as Ahluwalia points out, "created the conditions that necessitated the new humanism," which "was not a radical break with Enlightenment humanism, because of the way in which he drew on Marxism and existentialism"; even so, Fanon became increasingly aware of the need to expand, deconstruct, and revise the previous categories "because the issue of race problematized Marxist universalism."[113] As many scholars have noted, the term "humanism" has many meanings and variants; yet, a common thread in most descriptions of humanism, including those preceding the Enlightenment, is an appeal to some universal, shared human nature, structure, or set of capacities distinguishing humans from other animals and thus granting them a unique dignity and worth. Disagreements ensue, as one can imagine, over which capacities to include, how to define those capacities, and how to define and specify "human nature." In addition, historically speaking, various humanisms or humanistic strains have been taken up by religious and sociopolitical movements—from American Christianity in the Antebellum period to the European colonizing project to Stalinism—touting equality and liberty for all while simultaneously exploiting and even exterminating those scripted as inferior, subhuman, or a threat to so-called progress. Given its unsavory historical track record, one can understand why postmodern thinkers and critical theorists (including feminist, race, and queer theorists) are suspicious of humanistic grand narratives.

Nonetheless, might it be possible and worthwhile to recover certain humanistic themes, improvising and reharmonizing them in a more historically attuned multikey composition whose final movement continues to be written? Once again, it is helpful to bring Fanon and Foucault into conversation. In the closing section of *Black Skin, White Masks*, Fanon underscores the need for the colonized subject to be future-oriented, actively rejecting the white *mythos* while creatively carving out a new present. For Fanon, given his Algerian context, this included promoting physical violence and outright war if need be in order to pave the way for a new humanism in which no man or woman would be subjected to an enslaved or colonized existence.[114] Yet, his advocacy for violence was never glorification of violence[115]; rather, it was understood as analogous to the violence that must be performed in surgery in order to remove or at least halt the spreading of a life-threatening disease so that one's life may be saved and a healing process may begin.[116] In other words, because of the entrenched, systemic, oppressive character of colonialism in which the world of the colonized is transformed into a normalized lawless space, Fanon believed the decolonization phase could only be accomplished through violence, that is, through an armed struggle for liberation.[117] Commenting on the instrumental role of violence in Fanon's thought, Ahluwalia writes, "Colonialism forces violence to become a cleansing agent which has the cathartic effect of creating a new identity both at the individual and collective levels."[118] Even if one—and I place myself in this camp—ultimately remains committed to nonviolent forms of revolution, one must at least make every effort to grasp, or better, to feel in some way the bloody history of Algeria where men, women, and children were massacred en masse repeatedly for the sake of Europe's "mission."[119] Fanon, no doubt, felt the burden of that history, and its carnage convinced him that violence—at least with respect to Algeria's part in the unfolding drama—was the required passageway through which the colonized must travel in order "[f]or Europe, for ourselves and for humanity, [. . . to] make a new start, develop a new way of thinking, and endeavor to create a new man."[120]

At this point, it is instructive to engage Foucault's reflections on his own relationship to the Enlightenment in order to highlight later several commonalities between his and Fanon's critical yet not dismissive attitude toward this complex sociopolitical, philosophical movement. In his essay "What is Enlightenment?" Foucault describes how his historical or critical ontology is different from yet indebted to the Enlightenment "event." As he explains, his project "rooted in the Enlightenment" is a "type of philosophical interrogation," which "simultaneously problematizes man's relation to the present, man's historical mode of being, and the constitution of the self as autonomous subject."[121] With this description, we have a concise summary of what I have labeled the "double-construction" of subjects—two sides of subject-making, which Foucault seeks to hold in tension rather than reduce to one side or the other. (We see this same awareness of the "double-construction" of the subject in Fanon.) Foucault goes on to state that his connection with the Enlightenment tradition is not in terms of "faithfulness to doctrinal elements but, rather, the permanent reactivation of an attitude—that is, of a philosophical ethos that could be described as a permanent critique of our historical era."[122] Rather than accept the "blackmail" of the Enlightenment—an either/or false dichotomy stating that one must either remain within Enlightenment rationalism or become a critic of the Enlightenment and "its principles of rationality"[123]—Foucault rejects this dichotomy and opts for a different path.

> We must try to proceed with the analysis of ourselves as beings who are historically determined, to a certain extent, by the Enlightenment. Such an analysis implies a series of historical inquiries that are as precise as possible; [. . .] they will be oriented toward the "contemporary limits of the necessary," that is, toward what is not or is no longer indispensable for the constitution of ourselves as autonomous subjects.[124]

Here Foucault admits that those living post-Enlightenment are nonetheless shaped by the effects of that sociopolitical, cultural, philosophical, and institutional event. In other words, he acknowledges that an event from a past episteme (the Classical episteme of the seventeenth and eighteenth centuries) can and does shape the subjects of a subsequent episteme (the modern episteme of the nineteenth and twentieth centuries). The "determinism" he mentions is of course historical, contingent, and thus mutable. Our task as free (and I would add, rational) beings then becomes to investigate, analyze, and expose those limits that have been presented and accepted as necessary. Fanon wholeheartedly agrees.

Foucault then criticizes what he views as a conflation of the (European) Enlightenment event and (European versions of) humanism. The latter, humanism, he characterizes as a "set of themes" emerging periodically, "over time, in European societies" and "always tied to value judgments."[125] Foucault observes that humanism as a concept is too vague, having multiple contents in different periods and having been employed and claimed by a wide range of groups—for example, Christians, Marxists, and Stalinists alike have carried out programs of social "reform" under the banner of humanism. Yet, he adds, "[f]rom this, we must not conclude that everything which has ever been linked with humanism is to be rejected, but that the humanistic thematic is in itself too supple, too diverse, too inconsistent to serve as an axis for reflection."[126] Though the first part of Foucault's statement is itself vague, we may plausibly interpret it to mean that not everything characteristically or commonly associated with humanism—fighting for workers' rights, prisoners' rights, patients' rights, upholding the dignity of human beings, speaking out against various forms of sociopolitical and economic exploitation of humans, and so forth—ought to be neglected or jettisoned. Such an interpretation coincides with Foucault's own leanings as manifest in his writings on the prison and medical industries.

For Foucault to criticize the term "humanism" simply because its meaning changes over time seems completely inconsistent with his general theoretical commitments. Is it not the case that "madness," "criminal," and countless other concepts change in relation to their historical context (episteme), institutional "affiliation," and function within differing discursive communities? Assuming an affirmative answer, I contend that what Foucault takes issue with is the ever-changing notion of humanism functioning "as an axis for reflection."[127] A few pages later, for example, he enumerates specifically the three axes "whose specificity and whose interconnections have to be analyzed: the axis of knowledge, the axis of power, the axis of ethics."[128] No doubt, knowledge, power, and ethics are also context-specific and manifest different meanings in different discursive disciplines and epistemai. Yet, there is something more basic about these concepts structurally speaking. That is, whatever they mean in a particular historical period, they occupy a fundamental place in each episteme and exert a wide-reaching influence over the body politic, shaping who we are individually and collectively. These three axes play a central role in Foucault's "historical ontology of ourselves," which, as he maintains, must answer the following questions: "How are we constituted as subjects of our own knowledge? How are we constituted as subjects who exercise or submit to power relations? How are we constituted as moral subjects of our own actions?"[129]

As I have stated in earlier chapters, none of this is meant to suggest that Foucault embraces *openly* a traditional humanism entailing the acceptance of some shared, transhistorical, transcultural quality, qualities, or essence. Because Foucault holds that the Enlightenment event brought with it—even as it simultaneously failed in some ways to take advantage and develop this insight—an awareness of its own "historical consciousness,"[130] he is suspicious of humanisms that staticize some (preferred) quality or qualities of human beings and then refuse any philosophical (or other) interrogation of those petrified, alleged essences.

Foucault's advocacy for a critical ethos via an historical ontology of ourselves takes its cue from Kant and the latter's interest in exploring our limits; however, Foucault's concern is not with discerning what epistemological limits we must take care not to exceed. Rather, his concern with limits has to do with analyzing critically what "is given to us as universal, necessary, obligatory" to see whether these alleged immovable and transhistorical givens (i.e., limitations) are in fact "singular, contingent, and the products of arbitrary constraints."[131] In other words, Foucault's version of critical philosophy involves adopting an ongoing attitude of interrogation of alleged givens; for if these limitations turn out to be historically constructed and imposed for sociopolitical, economic, or other norm-producing ends, then a transgressive act might be precisely what is needed to allow us to imagine ourselves otherwise than we are. In sum, Foucault seeks "to transform the [Kantian] critique conducted in the form of necessary limitation into a practical critique that takes the form of a possible crossing-over [*franchissement*]."[132]

Foucault's critical project, as he himself explains, is not transcendental in the Kantian sense but thoroughly historical, genealogical, and archaeological. Elaborating how his methodological approaches and his aims differ from Kant's, Foucault states that his version of criticism does not seek to make "metaphysics possible" or to make metaphysics a science; rather, it involves an historical analysis of "the events that have led us to constitute ourselves and to recognize ourselves as subjects of what we are doing, thinking, saying."[133]

Foucault then highlights his amended archaeology, or what I described previously as his expanded archaeology, which, as he explains, does "not seek to identify the universal structures of all knowledge [*connaissance*] or of all possible moral action, but will seek to treat the instances of discourse that articulate what we think, say, and do as so many historical events."[134] Here he underscores the historical, contextualized character of his investigations, which is also to admit that knowledge unearthed via his expanded archaeology is partial, historically restricted, and thus always open to revision. From the many discursive events it analyzes, archaeology proceeds synchronically, extracting historical conditioning rules (historical a prioris), to which genealogy, operating diachronically, provides a fitting counterpart. Genealogy's task—at least one of them—is to retrace the various contingencies that have shaped us in order to open up a new space for self-(re)formation or constituting ourselves anew. In sum, Foucault's critical philosophical *ethos* "[seeks] to give a new impetus, as far and wide as possible, to the undefined work of freedom."[135] Once again, we find significant overlaps in Foucault and Fanon, namely, both are concerned with unmasking the historical, contingent, and sociopolitical character of subject-formation, which is all too often disguised as necessary and universal.

By connecting what I have said earlier regarding Foucault's critique of humanism with his promotion of local rather than global projects for sociopolitical change, we can highlight additional consonant as well as dissonant places with respect to Foucault's complex response to humanism vis-à-vis Fanon's view. As Foucault himself states, he is for local transformations "which concern our ways of being and thinking, relations to authority, relations between the sexes, the way we perceive insanity or illness," and so forth.[136] Given Foucault's predilection in his writings to side with the marginalized, we want, as I suggested earlier, to add to his general statements about local transformations examples such as prisoners' or workers' rights. However, is this a legitimate Foucauldian move, or does it require Foucault to make certain ontological commitments that he finds unsavory?

As we have seen, Foucault believes in and prefers "these partial transformations" noted in the previous paragraph; however, he is suspicious of global "programs for a new man," which have been used by various groups to exploit, manipulate, and even attempt to eradicate those portrayed as foreign, other, or enemy. In light of these statements, we may conclude that it is humanism as an ideology, as a grand overarching metanarrative that Foucault disavows passionately. His comments do *not* suggest a complete rejection of the concerns for the marginalized and oppressed with which humanism is commonly associated. Nor does his critical philosophical attitude downplay the importance of freedom. His project, in fact, requires free beings with cognitive capacities. "I shall characterize the philosophical ethos appropriate to the critical ontology of ourselves as a historico-practical test of the limits we may go beyond, and thus as work carried out by ourselves upon ourselves as free beings."[137] Yet, Foucault, in contrast to Fanon, is reticent to accept the idea of human rights as necessarily linked to some kind of universal, transcultural human nature. For Fanon, who presupposes a shared nature common to all humans irrespective of "race," ethnicity, gender, and so forth, it follows that all humans possess certain rights that should never be violated. For example, because human beings are free (and I would add, rational) agents, they ought not be exploited, sold, or treated as another's property. To do so is to violate one of their fundamental rights qua human beings. Foucault, as I have argued, assumes a minimalist ontology in that his account takes for granted that humans possess cognitive and volitional capacities. However, as I read Foucault, even if he were to make explicit his minimal ontological commitments, he would not want to claim that certain fundamental rights follow naturally or necessarily from these cognitive and volitional structures. Rather, I imagine he would claim that whatever rights appear in our archaeological and genealogical analyses of an historical episteme are specific to the particular sociopolitical institutions and cultural practices of that episteme. If this is correct, then it sounds a significant philosophical dissonance between these two thinkers (and between Foucault and Douglass); interestingly, this dissonance, as we shall see, serves well as a transitional movement to our dialogue with Scotus, as the latter has much to say about human ontology and ethics.[138]

Returning to Fanon, his vision throughout his works was underwritten by a call to human solidarity, a challenge to both blacks and whites and to all human beings to "move away from the inhuman voices of their respective ancestors so that a genuine communication can be born."[139] Uninterested in debates as to which "race" was superior and which inferior, Fanon asks, "Why not simply try to touch the other, feel the other, discover each other? Was my freedom not given me to build the world of *you*, man?"[140] Like Foucault, Fanon refused to accept contingent, historically formed narratives as universal and necessary truths. Nor was Fanon content to succumb to the "blackmail" of the

Enlightenment. Note, for example, the ambivalence in his largely negative description of Europe's mixed contributions to human history:

> The Third World must start over a new history of man which takes account of not only the occasional prodigious theses maintained by Europe but also its crimes, the most heinous of which have been committed at the very heart of man, the pathological dismembering of his functions and the erosion of his unity, and in the context of community, the fracture, the stratification and the bloody tensions fed by class, and finally, on the immense scale of humanity, the racial hatred, slavery, exploitation and, above all, the bloodless genocide whereby one and a half billion men have been written off.[141]

Rather, Fanon sought to transform and re-form a truly universal humanism appreciative of all cultures, embracing the "reciprocal relativism" of each for the purpose of mutual enrichment and genuine *fraternité*[142]—humanism as a symphony composed of many cultural voices, each of which has a distinctive part contributing to the beauty of the whole (ongoing) composition. Fanon's historically sensitive humanism neither turns a deaf ear to the cries of lives lost to the colonial project, nor chases frantically after "European achievements," "increased productivity," or a nostalgic return to nature.[143] Fanon's quest began and concluded with a call to "reexamine the question of man," "to invent a man in full, something which Europe has been incapable of achieving."[144]

In closing, I want to flag an issue to which I shall return in the following chapter. As we have seen, both Fanon and Douglass present accounts involving at least some conception of universal human rights. As we shall see in the following chapter, Scotus likewise shall follow suit; however, instead of an existential, phenomenologico-descriptive account of human rights, Scotus articulates an ontologically "thick" account of natural rights—an account, while granting differences, that is quite amenable to Fanon's humanism and Douglass's stance on natural rights based upon our natural capacities. A Foucauldian objector would, no doubt, take issue with Scotus's metaphysically "thick" view of humans and natural rights, given its reliance upon antiquated Aristotelian concepts and its blindness to rights discourse as socially constructed and episteme-specific. A Foucauldian objector might also worry that a position arguing for universal rights tied to some transcultural human nature or human capacities must be rejected because it leaves us open to essentialist-based exploitation, of which history is replete.

To these Foucauldian objections, I offer a Gadamerian-inspired reposte. That is, one may, as Douglass and Fanon do, begin with a prejudice (hermeneutically speaking) in favor of universal human rights. Such a presupposition or bias enables the subjugated—as we saw with the concrete examples of Douglass and Fanon to make sense of and speak out against the injustices they and others experienced in their oppressive racialized contexts. More, of course, could and perhaps ought to be said with respect to the nature of these human rights, as well as what such an assumption takes for granted about others and the surrounding sociopolitical community.[145] Nonetheless, by making this prejudice explicit and allowing, as Gadamer himself would, that one's horizon constituted by such biases is permeable and thus one's present notion of human rights—whatever that may be—is open to future revisions, the accusation that rights discourse *necessarily* calcifies into a rigid, fixed essence is assuaged.[146] Likewise, given the position I advocate, there is no reason why one must adopt every teaching Scotus advances, including any problematic Aristotelian or other baggage he might have adopted and promoted.

Having engaged our modern dialogue partners, Douglass and Fanon, both of whom via personal narrative accounts as well as theoretical reflections make unyielding moral claims denouncing slavery and colonialism as unjust, immoral, and antithetical to human *being*, I now turn to our premodern dialogue partner, John Duns Scotus. As we shall see, Scotus has much to say about human *being*, volitional and rational capacities, and unsurprisingly given his Christian commitments, how these capacities reflect and point to our relationship with God. What may, however, be surprising to some is Scotus's employment of artistic metaphors to expound his ethical theory and his philosophical arguments against slavery.

CHAPTER 5

Duns Scotus and Multidimensional Freedom

Scotus and the Subtleties of Freedom: Putting Ontology to Work for Emancipatory Purposes

As Hannah Arendt observes, the concept of the will has a history—a history shaped in significant ways by Christian theologians and philosophers.[1] According to Arendt, "Freedom becomes a problem, and the Will as an independent autonomous faculty is discovered, only when men begin to doubt the coincidence of the Thou-shalt and the I-can, when the question arises: *Are things that concern only me within my power*?"[2] The awareness of the double construction of the self evidenced in our postmodern and modern thinkers substantiates Arendt's claim; however, depending on one's perspective, it also broadens and complexifies it. Historically, the Greeks, of course, spoke profusely about natures and desire, and with Aristotle in particular we see the emergence of the faculty of choice (*proairesis*). However, the idea of a distinct faculty of the will as an active power undetermined by external forces is notably absent in Aristotle's thought. Such an understanding of the will comes into view much later, having been anticipated in large part via the reflections of St. Paul, St. Augustine, and others in the Christian tradition. Having come at last to our final premodern dialogue partner, John Duns Scotus, I shall elaborate several of his philosophical as well as theological contributions relevant to my present project.[3]

I begin with a discussion of Scotus's metaphysics of freedom, devoting sustained attention to his understanding of will as a distinct, active, self-determining power.[4] Related to his conception of the will as self-determining is his doctrine of superabundant sufficiency, which I mention in passing. Last, I discuss in some detail Scotus's emphasis on contingency (over against necessitarianism of all varieties),[5] as well as his innovative view of natural law and his argument against slavery. As pertinent themes from previous chapters arise—for example, rights talk as embraced or rejected by Foucault, Douglass, and Fanon—I shall highlight the consonances and dissonances between their respective views and Scotus's, and when possible, gesture toward possible paths for future development.

Before turning to specific passages in Scotus's corpus, I want to make explicit a dialectic that has been implicit in my chapters for some time now. In our examination of Foucault, we observed that his account of agency allows for the ability to act otherwise—that is, it affirms the agent's power or capacity for opposite actions. Douglass and Fanon hold similar views, as is evidenced in their narrative portrayals of their own resistance to a racialized society. Given Foucault's philosophically libertarian rather than compatibilist account of freedom, a dialogue with a medieval libertarian like Scotus might prove fruitful. In fact, in this chapter I show that a dialogue not only between Scotus and Foucault but also between Scotus and our modern interlocutors, Douglass and Fanon, opens up a creative space for new improvisatory possibilities for those dedicated to emancipatory concerns, human rights, and upholding the dignity and unique value of all human beings.

Among my dialogue partners, Scotus and Foucault exhibit the starkest differences when it comes to their respective (explicit) accounts of the human person. For this reason, I focus most of my critical comments in this chapter upon their disagreements and incompatibilities. For example, like Foucault, Scotus presents a view of freedom affirming the agent's ability to choose and to carry out opposite actions. However, Scotus's ontologically "thick" in contrast with Foucault's ontologically "thin" account of freedom and the will suggests that human freedom is telic. In other words, as I shall argue, Scotus's notion of metaphysical freedom serves as the condition for the possibility of moral and political freedom. Thus, in Sctous's thicker, multidimensional account of freedom we have a way to explain why humans should not be enslaved or colonized or forced to exist in oppressive relations of any sort.

Likewise, Scotus's ontology of freedom helps us to understand and to explain why humans typically resist the kind of dominating, inflexible relations of which Foucault disapproves but has no recourse to defend or justify. On Scotus's account, metaphysical freedom is essential to what it is to *be* a human; consequently, human beings, as one would expect, naturally resist when their freedom is threatened. Historically speaking, resistance to oppressive regimes and dominating relations is a fairly constant, empirical, and transcultural phenomenon. Such a regular and consistent pattern across cultures and historical epochs suggests that human freedom has a goal; it is, as I mentioned earlier, *telic*. That is, proper human freedom seeks a "place" in which it can flourish and express itself concretely in social and political life with others. Thus, we find a natural tendency to resist oppression, and this tendency is not socially constructed but is rather transcultural and transhistorical. Moreover, not only is this tendency to resist oppression in order to restore one's access to the pursuit of basic human goods (e.g., bodily health, psychological soundness, and moral and intellectual development) a natural "fact" about human beings, it is also an activity in which humans *ought* to engage. After all, who would argue that it is better to be psychologically oppressed or physically diseased rather than psychologically sound and physically healthy? In a similar vein, who would claim that it is better for humans to be deprived of moral and intellectual instruction than to have access to such instruction? As basic goods that enable humans to flourish, humans should not be denied the ability to pursue these activities or forced to live in social contexts in which their rights to such goods are systematically denied. Having clarified some differences among my conversation partners regarding the ontology of human freedom and summarized my objectives in the present chapter, I now turn to a discussion of some of the central themes of Scotus's account of the will and freedom.[6]

In *Questions on the Metaphysics* 9.15, Scotus articulates his understanding of the will as an active power (*actus potentia*) against the background of Aristotle's discussion of rational potencies, namely, the intellect and its relation to choice (*prohairesis*).[7] First, Scotus distinguishes sharply between a nature and a will. Both are active powers, but the modalities according to which they operate—either necessarily or contingently—are mutually exclusive; thus, a nature and a will are, as it were, different entities. This fundamental distinction allows Scotus to make a case for the will as a self-determining, active potency, which, unlike the intellect, is capable of choosing freely from among several alternatives and producing many possible effects rather than choosing or assenting to one alternative only (e.g., assenting to the proposition "$2 + 2 = 4$"). The intellect, as Scotus explains, is more properly classified as a nature, since it is internally "determined to understanding and does not have it in its power to both understand and not understand; or as regards propositional knowledge where contrary acts are possible, it does not have the power both to assent and dissent."[8]

The intellect's own proper act requires this inner determination to assent to that which it perceives as true. In contrast, the will is able "to elicit an act proper to itself in opposite ways."[9] The will, in other words, operates according to an entirely different modality, contingency, and thus is not compelled to one act or to one possibility over another. For those demanding further justification as to why natures and wills act only in these mutually exclusive modalities, Scotus states emphatically that there simply is no additional reason available. All one can say is that, by definition, a will can act according to no other modality, or as Wolter puts it, "[J]ust as heat heats because it is heat, so will wills because it is will. The former does so necessarily, whereas the will acts contingently."[10] One might object that the proposition "the will wills" is contingent though immediately known in the way that a necessary proposition is known. Yet as a contingent proposition, "the will wills" is neither a necessary proposition nor deducible from one or more necessary propositions. On the one hand, Scotus's response is that a contingent proposition cannot be deduced from necessary propositions; on the other hand, he insists that there are immediately known contingent propositions. For example, the proposition "I have two feet" is a contingent proposition I know immediately; it is not deducible from a single necessary proposition or from a set of necessary propositions.

Stated otherwise, since we are dealing with contingent propositions, at some point we have to come to the end of our retracings. Once we come to that end, we reach a (properly) basic contingent proposition, which is known immediately. The proposition "the will wills," is, for Scotus, one such proposition; hence, no further explanation is possible. Last, to another objection, demanding that the indeterminacy of the will must be proved a priori, Scotus replies that the will's indeterminacy is proved instead a posteriori. Here again, in order to explain the indeterminacy of the will, Scotus appeals to our experience, in particular, our experience that we *could have* acted otherwise: "[F]or the person who wills experiences that he could have nilled or not willed what he did."[11]

Engaging in his own variant of (anachronistically speaking) Foucauldian reverse discourse, Scotus makes the provocative claim that if one understands "rational

> to mean "with reason," then the will is properly rational, and it has to do with opposites, both as regards its own act and as regards the acts it controls. And it has to do with opposites not in the way that a nature, like the intellect, acts, which has no power to determine itself in any other way. But the will acts freely, for it has the power of self-determination.[12]

In short, Scotus claims that the will, because of its unique self-determining ability, not only falls in line with Aristotle's criteria for what qualifies as a rational power, but it also *surpasses* Aristotle's demands[13]; hence, the will constitutes a rational faculty with a greater operational extension and thus a greater operational capacity than that of the intellect.

How precisely is this so? First of all, the will can choose to be guided by reason or not. Second, as we have mentioned already, the will does not operate according to necessity as is the case with the intellect. With respect to the will there is no inner constitutive principle requiring that it must choose any of the particular possibilities that fall within its range of possible choices or actions. In contrast, if the intellect grasps correctly the terms constituting a proposition, as well as the truth of a proposition, it *must* assent to that truth. There is an internal constitutive principle built into the nature of intellect compelling it to assent to truth when "seen." Moreover, in order for an intellect to qualify as functioning properly, it must follow this internal principle or determination, which means that its options to assent otherwise—that is, to assent to any other claim to truth with respect to the proposition it has in view—are ruled out. If, for example, the intellect is convinced that $2+2=4$ (and this proposition is, in fact, true), it cannot rationally assent to the proposition, $2+2=7$. Consequently, to fail to assent to what the intellect itself sees as true (when what is in view is actually true) constitutes some form of irrationality or failure on behalf of the intellect.

In addition, what allows Scotus (at least in part) both to reject and to argue for the will as a rational capacity exceeding Aristotle's view of intellect is his introduction of what is today commonly referred to as synchronic contingency. Here again we encounter one of the Subtle Doctor's significant contributions, even if, as Dumont argues, Scotus was improvising and developing themes introduced by Peter Lombard, Henry of Ghent, and Peter John Olivi.[14] For our purposes, I shall present only a brief sketch of synchronic contingency.[15] Scotus begins by distinguishing between a proposition in a divided sense versus a proposition in a composite sense. In the latter case, such a proposition is false, as it is not possible that *at the same time* I both sit and do not sit. However, in the divided sense, such a proposition is possible, valid, and in no way contradictory. For example, while I am sitting, it is *possible* that I could not be sitting. In the following passage, Scotus explains his teaching, clarifying how his notion of possibility in the divided sense does not result in a contradiction. As he explains,

> [O]ne could say that when the will is in a certain state of volition, it is in that state contingently, and that its present volition stems from it contingently, for if it does not do so then, it will never do so, since at no other time does it proceed from the will. And just as this particular volition is

> contingently in the will, at that very same moment the will is a potency with power over the opposite; and this holds for that moment [*pro 'tunc'*] in the divided sense. Not that it could will the opposite at the same time as it wills this, but in the sense that it has the power to will the contrary at that very instant [*in hoc instanti*], by not willing the other at that instant. For at this very instant it could, nevertheless, posit the other, in a divided sense, and do so not necessarily but contingently.[16]

Here we see Scotus's insistence on the spontaneity and contingency inherent to the will as a free, active power. That is, Scotus emphasizes that even when an agent wills x rather than y, she still possesses the capacity or potency—in light of what the will itself *is* and the contingency involved in all of its volitions—for the opposite. Scotus does not advocate a contradictory state of affairs; rather, his teaching lays stress on the self-determining nature of the will and its unique "power to will that contrary at that very instant, by not willing the other at that instant."[17] In other words, unactualized possibilities of an act—whether the opposite action or some other possible action—are always present as real alternative possibilities.

Having presented a basic sketch of synchronic contingency, I turn now to a brief discussion of Scotus's notion of superabundant sufficiency. Here Scotus's teaching develops as a response to the question concerning how an indeterminate active potency is actualized, and it is to this question that he offers one of his most interesting and innovative contributions, namely, superabundant sufficiency. First, Scotus distinguishes between two kinds of indeterminacy: (1) a negative kind "based on potentiality and a defect of actuality" or insufficiency, and (2) a positive kind "based on unlimited actuality."[18] As he explains, "[T]he first sort of indeterminacy [the negative kind] is not reduced to actuality unless it first is determined to some form by something else. Something indeterminate in the second sense [the positive kind], however, can determine itself."[19] Scotus of course is interested in the second, positive sense of indeterminacy, and with this in view, he proceeds to draw an analogous connection between the positive indeterminacy of a human will and God's superabundant sufficiency as exhibited in his free actions.

> If this [self-determining ability] could occur where some limited actuality exists, how much more where the actuality is unlimited! For it would lack nothing simply required for an acting principle. Otherwise, God, who, in virtue of his indeterminacy of unlimited actuality, is supremely undetermined in regard to any action whatsoever [*Deus, qui est summe*

> *indeterminatus ad quamcumque actionem indeterminatione illimitationis*], would be unable to do anything of himself, which is false. [. . .] the determination ascribed to the will is not like that of matter, nor, insofar as it is active, is it the indeterminacy of imperfection, but rather it is the indeterminacy of surpassing perfection [*excellentis perfectionis*] and power [*potestativae*], not restricted to some specific act.[20]

In other words, the positive sense in which a limited human will is indeterminate is analogous to the kind of perfection that we see in God's unconstrained ability to act—that is, to act not as the result of external or internal compulsion but freely and contingently.[21] Here Scotus simply affirms traditional Christian teaching on creation according to which God in no way needed to create, but rather did so out of his generosity and love. Not only does Scotus's explanation of God's superabundant sufficiency harmonize well with Christian doctrine concerning creation, but it likewise proves helpful in our attempts to apprehend how we may speak of a genuine change (viz., creation) occurring that does not necessitate an essential change in the agent (viz., God).[22] Continuing this line of thinking in a Scotistic key, God not only creates freely out of his superabundant sufficiency, but his abundance and generosity include self-limiting capabilities. A clear theological example is the Incarnation, wherein God willingly imposes human limitations upon himself out of love for his creation, and especially with a view to making possible intimate union with human beings. To sum up, in contrast with the Greeks' negative view, Scotus's positive view of indeterminacy and its implications for both human and divine wills add weight to Arendt's observations concerning the distinctively *Christian* contributions to the genealogy of the will.

Throughout his discussion, Scotus continues to foreground the basic and nonreducible difference between intellect and will, emphasizing that we ought to respect the otherness of what each power inherently manifests itself to be. Not only is his account of will free of contradiction, but, as he points out periodically, his account has the added benefit of conforming to our own experience of freedom.

> For there is nothing contradictory about a created active principle having the perfection we attribute to the will, namely, that it is not just determined to one effect or to one act, but has many things within its scope and is not determined towards any of these things that fall sufficiently within its power. For who would deny an agent is more perfect the less it is determined, dependent, and limited in its action or effect? [. . .] Consequently, if this perfection [superabundant sufficiency] we ascribe

> to the will is not opposed to the notion of a creative active principle—and the will is the highest such—then such perfection ought reasonably to be attributed to the will.[23]

In short, if the will in fact is an active power that manifests the kind of superabundant sufficiency that Scotus describes, and hence is capable of determining itself, on what grounds would anyone deny that such a situation is better than one in which the will is utterly dependent on something outside of itself to determine its actions? Would not such dependence based upon external determination in effect *negate* human freedom (not to mention human responsibility) and thus destroy a constitutive feature of human being and human personhood?

Here a few caveats are in order. Scotus, like most medieval thinkers, does not deny our need for divine grace, both at the outset of our relationship with God and throughout; even so, Scotus also emphasizes human cooperation with divine grace, given our essential ontological freedom.[24] Stated otherwise, we may say that Scotus, philosophically speaking, lands squarely on the libertarian rather than the compatibilist side of the spectrum. The compatibilist affirms at least some degree of genuine human freedom, yet also acknowledges some variant of determinism. For a compatibilist like St. Augustine or St. Thomas Aquinas, the determinism involved is not violent or coercive but works with human agency, enabling and liberating humans *now* so that they may reach their final *telos* in God. The libertarian, however, lays great stress on the agent's ability to act otherwise than she in actual fact did, lest the notion of acting freely become vacuous. Furthermore, the libertarian claims that this ability to act otherwise is more than a mere logical possibility but is the case in a much stronger sense. As we have seen, Scotus's notion of synchronic contingency attempts to articulate this stronger sense by stressing that in the very instant, for example, when A chooses to love B, it is possible that A could have chosen not to love B and that possibility remains effective and ongoing correlative to the actualized choice.

In addition, as Calvin Normore explains, Scotus articulates three senses in which a thing may possess a property necessarily. "It might be directly caused to have the feature necessarily, or caused to have a nature in virtue of which it has the feature necessarily, or caused to be such that it can freely cause itself to have the feature necessarily."[25] Scotus is most interested in the third sense, as he believes it preserves genuine human freedom. How so? It allows, on the one hand, Scotus as a Christian to affirm that God creates and hence causes each human will, and, on the other hand, to affirm that "God does not cause the willing of that will. Instead God causes it to be the case that the willing of that will is a production of what it does produce. Scotus seems to think that the only efficient cause of a willing is the will that does it."[26] Even so, Scotus acknowledges that a nonviolent, divine intervening act is a necessary condition for the perfection of the human will and its ability to cling to the good.[27] Having discussed several key aspects of Scotus's metaphysics of freedom, I now proceed to an analysis of his variation on Anselm's dual affections of the will and his dynamic view of natural law.

The Dual Affections of the Will and Scotus's Contribution to Natural Law Theory

According to Scotus, the first practical principle of action is whatever (or whoever) is best ought to be loved the most; that is, one ought to love what or whom is best. Concretely, for Scotus, the principle translates into the claim that God is to be loved above all. To love God above all constitutes "an act conformed to natural right reason, which dictates that what is best must be loved most; [. . .] indeed, as a first practical principle of action, this is something known *per se*, and hence its rectitude is self-evident."[28] One knows a proposition per se by grasping the meaning of its terms. Since Scotus believes that the terms of the proposition "God [that which is best] is to be loved by all" are not only understandable but form a self-evident proposition both knowable via natural reason and, as it were, implanted in our minds by God himself, he infers that "there can be a virtue inclining one naturally toward such an act [of loving God]."[29]

As Wolter explains, Scotus's belief concerning how God makes his moral law known to human intellects can be traced to (at least) two sources: Peter Lombard and Hugh of St. Victor, both of whom derive their teaching from St. Paul in Romans 1.[30] Thus, Scotus is operating squarely within the accepted views of his tradition, which understands God as revealing himself to the human intellect by implanting certain moral principles in the human mind, as well as by leaving his imprint in creation in such a way that human reason might grasp something of his goodness and power. If it is the case that God created humans, designing them with the ability "to know and love what God himself does, then he has the authority to impose a moral obligation upon the creature he has created and set the conditions under which that creature may one day share God's inner life."[31]

The virtue that Scotus mentions here is a theological one, charity, as the object toward which it directs us is God.[32] Because of our postlapsarian state, such a gift is required and must be "infused by God."[33] Charity then perfects our will, specifically the aspect of our will that Scotus calls the *affectio iustitiae*.[34] According to Scotus, the *affectio iustitiae* (affection for justice) and the *affectio commodi* (affection for what is useful, pleasant, or beneficial to oneself) are intrinsic elements of the will. That is, the *affectio iustitiae* is oriented toward the just good or the good in itself (*bonum in se*), whereas the *affectio commodi* is oriented toward the self's advantageous good or the *bonum sibi*. Scotus describes the *affectio commodi* as "a natural appetite of the will," and thus its actions are not elicited.[35] As a natural appetite, this affection for the advantageous "is nothing other than an inclination [. . .] to its proper perfection; therefore the will as nature necessarily wills its perfection, which consists above all in happiness, and it desires such by its natural appetite."[36]

In contrast, the *affectio iustitiae* is "nobler" than the *affectio commodi* because it makes it possible for the will to will some good that is not first and foremost for the benefit of the self or "oriented to the self."[37] For, according to Scotus, "[t]o love something in itself [or for its own sake] is more an act of giving or sharing and is a freer act than is desiring that object for oneself. As such it is an act more appropriate to the will."[38] In other words, the affection for justice constitutes the genuine or innate liberty of the will[39]; hence its status as more noble than the affection for what is advantageous. Likewise, as the *affectio iustitiae* moderates the *affectio commodi*, restraining the latter from following self-seeking advantage inordinately, in Thomas Shannon's words, "allows us to transcend nature and go beyond ourselves and our individually defined good. The *affectio iustitiae* is the capacity to see the value of another."[40]

Since justice necessarily involves others, the *affectio iustitiae*, as other-focused and enabling the agent to transcend her natural appetites, constitutes the heart of what it means to be free in Scotus's universe. As Wolter observes, not only does the *affectio iustitiae* incline one to love an object for its own sake (for its own intrinsic goodness), regardless of whether it is to one's own advantage or not, but it also allows one to move beyond one's own excessive advantage-seeking inclinations, which, although not necessarily bad in themselves, can become tangled and destructive.[41] "This native liberty or root freedom of the will, in short, is a positive bias or inclination to love things objectively or as right reason dictates. [. . .] it is described [. . .] in what amounts to both a freedom from nature and a freedom for values."[42] If human beings did not possess the affection for justice and were directed only by the affection for advantage—a *natural* appetite—ethical behavior would be impossible.[43] With Scotus's account of the dual affections of the will—the "formal perfections of the will as a faculty"—we have an account of the will's freedom, which "is not reducible to liberty of contradiction or contrariety."[44] Having discussed Scotus's developments of Anselm's notion of the two affections, I now consider the former's dynamic, multilayered account of natural law.

Scotus's view of natural law exhibits an acute awareness—particularly for a premodern thinker—of the importance of historical, cultural, and other context-specific circumstances in the development of an adequate moral theory. In addition, the Subtle Doctor's account of natural law takes seriously the contingent nature of creation and allows prudence, or what one might call "creative practical reasoning," to play a significant role in determining one's proper course of action. Through our examination of Scotus's historically friendly view of natural law, the coherence of his theologico-philosophical position shall be made clearer, and thus the requisite distinctions and categories pertaining to the different senses of law shall be established for our later engagement of his examination of slavery.

Scotus distinguishes among three kinds of law: natural, divine, and human. Having made an overarching division between natural law and positive law, he then further divides natural law into its strict and extended senses and positive law into its divine and human senses. For our purposes, the most relevant categories are natural law and human positive law.[45] In brief, positive law is the contingent creation of the authoritative lawgiver or lawgivers promulgated for the common good of the people. An example of human positive law is the requirement in the United States that drivers drive on the right side of the road. Clearly, such a law could have been otherwise; American lawmakers could have decreed that automobiles must be driven on the left side of the road, and the common good would have been served equally well.

Regarding natural law, Scotus differentiates between strict and extended senses. Natural law in the strict sense is either *per se nota*, that is, a self-evident analytic proposition whose truth is evident from the meaning of the terms, or a proposition whose truth can be demonstrated from such self-evident propositions. Natural laws in the strict sense are transhistorical and transcultural; they can never be revoked or altered, or to use Scotus's language, dispensed with by virtue of God's decree.[46] As Mary Elizabeth Ingham explains, the first three commandments of the Decalogue—the first table of the Law—pertain directly to God, whereas the last seven pertain to God indirectly.[47] Regarding this latter group of commandments and how they stand in contrast to the former, Ingham writes:

> These deal with the neighbor and are grounded, states Scotus, not directly in the absolute value of the person but in the absolute goodness of the divine command. The first command, "God is to be loved" is an analytic truth of natural law, since God is infinite goodness and thus alone worthy of absolute love. The second and third commands are derived from this first and in this way belong to natural law strictly speaking.[48]

With commandments four through ten, the second table of the Law, we are introduced to what Scotus calls natural law in the extended sense. These precepts are neither self-evident nor derived from self-evident propositions; rather, they exhibit a reasonable and even beautiful consonance or harmony (*convenientia*) with the natural laws in the strict sense, in particular with the first and greatest commandment to love God above all. Even though these principles directed at one's neighbor and the created order do not, strictly speaking, hold the status of absolute moral principles, they do, as Ingham explains, "represent the intention of the divine lawgiver, specifically as to the practical implications of obedience to the first command. According to the present contingent order, the command to love God is best followed through acts of love for the neighbor."[49]

Scotus's distinction between natural law in the strict and extended senses permits him to offer an innovative response both to the question of divine dispensation and to those instances in Scripture wherein God commands acts in direct conflict with the Decalogue.[50] As we have seen, Scotus rejects the claim that all the commands of the Decalogue exhibit strict necessity and thus cannot be dispensed with because they are intrinsically good. According to Scotus, natural laws in the extended sense can be dispensed with in certain extraordinary conditions when, among other things, the dispensation is issued by divine command. With respect to the commands of the second table of the Law, "since the nature (*ratio*) of the things that they command or prohibit does not ground unqualifiedly necessary practical principles or unqualifiedly necessary conclusions,"[51] with divine approbation, they can be revoked. Moreover, the goodness resulting from these commandments "is not necessary for the goodness of the ultimate end, and the badness of the things they prohibit does not necessarily turn one aside from the ultimate end."[52]

In contrast, given that God is their immediate object, natural laws in the strict sense have a different status. As Scotus explains,

> [I]f we understand the first two commandments as purely negative—the first as "You shall not have other gods" and the second as "You shall not take up the name of your God wantonly," that is, "You shall not do irreverence to God"—they belong to the law of nature strictly speaking, because this follows necessarily: "If God exists, he alone is to be loved as God." And it likewise follows that nothing else is to be worshipped as God and that no irreverence is to be done to him. Consequently, God himself cannot give dispensations from these precepts so that someone could [licitly] act contrary to this or that prohibition.[53]

Given the object of and the necessity involved in the precepts constituting natural law in the strict sense, God could never command a person to hate him. However, with respect to natural laws in the extended sense, whose object is not God directly but God's contingent creation, divine dispensation is possible "and the subsequent action deemed moral, if the divine Lawgiver saw fit."[54]

In order to further elucidate Scotus's position, Ingham compares his teaching on dispensations to Thomas Aquinas's, noting that while the latter "affirms the intention of the law, Scotus underscores the mind of the lawgiver."[55] From this difference in emphasis, Ingham draws several interesting implications. As she explains, the dissimilarities in their respective accounts

> point to the difference between a depersonalized cosmos governed by necessity, and a personal universe based upon freedom and love. Scotus offers a more personal basis for the Stoic legacy of *lex aeterna* and thus personalizes obedience to moral principles. When I follow or obey a law embodied in the Decalogue, I am not merely moved by abstract moral principle or values, but rather by the conscious desire to remain in relationship with God. Moral living is at heart relational living which joins person to person and person to God.[56]

Of course, Ingham is not imputing to Aquinas a strictly impersonal or mechanized view of God's interaction with the created order; rather, her point is to highlight facets of Scotus's understanding of natural law as that which reflects something of God's character (qua loving Creator), revealed to his rational creatures so that they might have intimate union with him.

At this point I want to make more explicit the differing logical statuses of the Subtle Doctor's two categories of natural law. As he explains, if God does in fact dispense with natural laws in the extended sense—and Scotus believes that he does—then those laws must possess a different logical status and thus different obligatory grounds than natural laws in the strict sense. The issue is not *whether* both types of natural law are obligatory—both in fact oblige. The dividing point, however, between the obligatory grounds of the first and second table of the Law reflects the division between God as necessary and creatures as contingent. Because laws in the extended sense do not possess the universal, absolute necessity of laws in the strict sense, God does not violate his own rationality or holiness should he revoke, according to his wisdom and goodness, one of these precepts. Having made these claims, Scotus should not be understood as paving the way for a dismissal of the second table of the Law. In no way do the different grounds of obligation for each type of natural law diminish the obligatory force of the precepts. As a human created in God's image, I am bound, for example, to speak truthfully to my neighbor and vice versa. Dispensations require not only a harmony with prudential (human) reason, but divine approbation expressed directly by God himself (as in Abraham's case) or via the authoritative teaching of the church.

Scotus on the Harmony, Beauty, and Consonance of a Moral Act

Scotus recognizes that an existential application of natural law, and particularly natural law in the extended sense, requires the proper exercise of practical reason. On the one hand, "Scotus insists upon the primacy of God's will for an objective moral order"; on the other hand, Scotus emphasizes "the centrality of the human will in self-determination."[57] In our lived experience, moral goodness becomes manifest in the creative interplay between these two wills. This is not to say that humans via their volitional choices and actions "define goodness," as that is the prerogative of the divine will, which the Subtle Doctor claims emphatically is the objective standard for moral goodness.[58] As we observed in our discussion of the two affections or intrinsic structures of the human will, the affection for justice moderates the affection for advantage and makes possible freedom from or freedom beyond natural appetite. However, as Ingham brings to our attention, a Scotistic view of ethics involves much more than an explanation of the inner workings of the two affections. Scotus's analysis of moral goodness stresses "the relationship of goodness to beauty. It presents the moral act as a work of art and the moral agent as an artisan."[59]

The use of an artistic model and artistic analogies to explicate moral theories is not foreign to the Western philosophical tradition. Aristotle, for example, employs musical analogies (as well as medical analogies) in his *Nicomachean Ethics.*[60] Thomas Aquinas references both types of Aristotelian analogy; however, his preference is to cite and develop the philosopher's medical images.[61] Scotus, in contrast, turns frequently to artistic and musical analogies and related terminology in his reflections on ethics and the moral goodness of an act.[62] In light of the Subtle Doctor's preference for freedom over natural necessity,"[63] his choice of artistic, creative freedom as his preferred explanatory model is, as he might put it, fitting. Recall from our discussion of Foucault's late work that he turns to Greco-Roman self-technologies as a resource for articulating and thinking about a more active subject. In his analyses, he describes ethical acts and ascetical practices as akin to works of art in which the agent, through self-disciplinary technologies, acquires practical skills and a certain degree of self-mastery, enabling him or her to live a beautiful life—a life that itself is an *ethopoietic* work of art.[64] Like Scotus, Foucault values freedom and stresses repeatedly the contingent character of our world.

As I have indicated, Foucault's discussion of creative self-elaboration, subject-formation, and his notion of power relations presupposes free subjects with rational capacities. However, unlike Scotus, Foucault offers no explanation of *why* humans are able to engage in such self-directed, uncompelled activities so that they might define themselves and pursue an authentic, beautiful life. Furthermore, Foucault's reticence to address directly the metaphysics of human being or what makes a human person unique and worthy of dignity and respect is a weakness in his account not unrelated to his reticence to affirm at least some transhistorical, transcultural ethical norms. If there is nothing at all stable or unchanging about the ontology of human beings, then there is nothing upon which one might base a doctrine of universal human rights.[65] That is, rights will remain—and this seems to be the case for Foucault—epistemai-specific or tied to a particular cultural and historical period, not only socially constructed "all the way down" but in no way grounded in a universal, shared human nature or universal, essential capacities or features constituting the human person as such.

Returning to her discussion of Scotus's use of artistic and musical images to explicate ethical themes, Ingham observes how the Subtle Doctor's strategy of bracketing reference to complete human fulfillment in God in the hereafter—that is, his bracketing of eschatological perfection—allows him, while not denying that our ultimate union with God is our telic destiny and happiness, to concentrate his attention on the concrete act in all its particularity as morally beautiful. "The morally good act appears not as a means to a pre-determined end, but as an artistic whole within which harmony and proportion among several elements exist."[66] By foregrounding the concrete act and the circumstantial aspects and context in which it must be considered for a proper assessment of the act's moral value, Scotus opens the door for dialogue about ethics across religious and nonreligious boundaries. None of this is meant to downplay Scotus's theology and its role as a source and influence for his philosophy. It goes without saying that Scotus's theological commitments make him skeptical about philosophy's ability to deliver one to a life of complete human flourishing.[67] For the Subtle Doctor following the Augustinian tradition, the human heart finds its ultimate repose and contentment in loving union with the Triune God. Nonetheless, because Scotus "rejects any natural or necessary connection between knowledge of an objective moral goal such as [Aristotle's] *eudaimonia* [or beatific vision as understood by the Catholic tradition] and the human ability to attain it in this life (*pro statu isto*),"[68] he can, without compromising his own theological beliefs, bracket talk of those aspects requiring a commitment to divine revelation and discuss a theory of moral acts, which, presumably, someone like Foucault or Fanon would find worthy of a hearing and perhaps even find appealing.

In *Ordinatio* I.17, Scotus describes the moral goodness of an act as a kind of comeliness or propriety (*quasi quidam decor*) analogous to an indefinable yet perceptible unifying dimension permeating an artistic work.[69] Describing the beauty or seemliness of a morally good act, Scotus writes:

> [I]t can be said that just as beauty is not some absolute quality in a beautiful body, but is the sum of all that is in harmony [*convenientium*] with such a body (for example, size, magnitude, figure and color), and also the sum of all its aspects [*omnium respectuum*] (which are those of the body and those of one another), so the goodness of a moral act is a kind of suitability [*decor*] of that act, including the sum of due proportion to all to which it has proportion (for example to the power, to the object, to the end, to the time, to the place and to the manner), and this especially as those things which right reason says must harmonize [*debere convenire*] with the act: so that regarding all these things we can say that harmony [*convenientia*] of the act with right reason is that by which the act has been considered [*posita*] good, and that by which *it* has been considered [*posita*]—in whatever manner it might harmonize [*conveniat*] with other *aspects*—not good, since whatever act, if it is not in accord with right

> reason when performed [*in operante*] (for example, if it does not exhibit [*habeat*] right reason when performing it [*in operando*]), then the act is not good.[70]

In this passage, Scotus employs the term "*convenire*" or some version of its noun variant "*convenientia*" four times. I have chosen to translate *convenire* as "to harmonize" and *convenientia* as "harmony," in keeping with Scotus's preference for musical analogies. Here the idea seems to be that the morally good act, similar to a beautiful work of art, will exhibit just the right balance among its various aspects. Thus, the morally good act will be performed in the right manner, at the right time, in the right location and circumstances, among the appropriate people, with the proper end in view, and so forth.[71] For example, telling the truth, while typically a good act, can be done in an inappropriate manner, to an inappropriate conversation partner, and with an end in view, which actually intends to harm an individual.

Scotus's emphasis on the circumstances and context of the act, of course, reverberates with Aristotelian echoes, as the philosopher makes comparable statements in the *Nicomachean Ethics*.[72] In both Aristotle's and Scotus's accounts of morally good or virtuous acts, practical reason plays a prominent role. As the passage from *Ordinatio* I.17 demonstrates, Scotus lays stress upon right reason's ability to perceive a fitting or harmonious combination of the various elements surrounding the act in question. If the act and its, as it were, harmonic background do not form a consonant whole—a consonance determined by the agent's prudential reason, itself an intellectual virtue developed within a tradition just as a musical skill is thusly developed—then the act is not considered morally good.[73]

In addition to his emphasis on the circumstantial context of an action, Scotus also underscores an action's object or its objective dimension. As Ingham explains, "in the directive 'tell the truth,' truth is the object of the action. 'Love your neighbor as yourself' is an objectively good act because persons (both you and your neighbor) are worthy of love."[74] Although Scotus claims that every moral act has an objective dimension discernable by right reason, the moral beauty of an act is not reducible to this dimension. The agent's freedom in choosing a particular act also factors into Scotus's account. For example, one might tell the truth about a particular person's illegal financial activities—not because it is the right thing to do given the deleterious consequences such activity has brought on others, but because one's supervisor has demanded that the truth be told. There is a sense in which the act is objectively good because truth was the object of the action; however, the person uttering the truth is not brought into a better moral condition as a result of the action; his or her character is not improved. In contrast, when one chooses freely to live a life of truth-telling and has not only one's own good but the good of others in view, one's actions "take on a free and rational quality which enhances their natural objective goodness."[75] When this is the case, one's truth-telling is not only a morally good act (objectively speaking), but it is also an act that makes one a better person.[76]

Moral objects, or the objective dimension of an act, are not for Scotus, the final word ending all moral discussion. Given what humans are—free, rational beings—Scotus argues that goodness and truth are fundamental moral objects well-suited to our nature and thus proper human goods aimed at our fulfillment and perfection.[77] Because we are beings with rational powers, we seek reasonable, coherent explanations for our own actions, the actions of others, and for events occurring in our world. Likewise, because we are beings with volitional powers, we desire what is good, even if we are often mistaken as to what is in fact good for us. In short, whether real or apparent, truth and goodness "are significant moral objects; they are human goods. Indeed, truth and goodness are the two most fundamental moral objects; they respond to our human aspirations which express themselves in activities of knowing and loving."[78]

Of course, Scotus differentiates between morally good acts and morally neutral or indifferent acts. For example, curling my hair in the morning, or tying my right shoe before my left shoe are morally neutral acts. Although both acts are chosen and performed freely, neither is morally significant. This is the case because the objects of my action—curly hair or shoes that have been tied in a specific order—are morally inconsequential and do not augment or diminish my moral character.

In sum, for Scotus, a morally good act is multifaceted, involving conscious intent, proper motive, a harmonious circumstantial context such as the proper manner, end, time, place, and so forth, and it is an act that perfects or improves the agent's character. A morally good act, as Ingham states, "resembles not simply a whole, but a beautiful whole thanks to the developed ability of the moral expert in identifying significant data in light of principles, objects and circumstances."[79] The moral expert not only acts "out of the appropriate moral motivation," but she also "has a developed eye for beauty and seeks to create beauty in each act and moral judgment."[80]

As Gérard Sondag observes, for Scotus, as for many medieval thinkers, beauty and order are closely linked. For example, Scotus highlights this connection in his description of the beauty of Scripture and the beauty of harmonious sound. Regarding Scripture, Scotus says that its beauty (*decor*) is shown in its ordered unfolding or progression.[81] Sondag goes on to state that the Stoics were likely the first philosophers to thematize analogies between ethics and aesthetics. Both Cicero and Augustine share this common Stoic ethico-aesthetic heritage, and both appeal to and develop in their respective ways the Stoic understanding of beauty as the "*convenientia partium inter se et ad totum,* the convenience of the parts to each other and to the whole."[82] Recalling our examination of *Ordinatio* I.17, there Scotus offered his own account of beauty as, among other things, a harmony of parts, aspects, and consisting of due proportion. Clearly, Scotus is working within what Sondag and others have identified as the classical aesthetic tradition—here with a particular focus on its Stoic ethico-aesthetic branch. However, like his predecessors (Augustine, Alexander of Hales, Bonaventure), Scotus improvises on these standard aesthetic themes and adds his own distinctive contributions.

As Sondag explains, for Scotus, the *decor* of a morally good act is "the proper effect of the integral goodness of that act. An act which is endowed with integral goodness is not just praiseworthy. It affords pleasure or delight to the one who is able to pass judgment upon it."[83] Here the Subtle Doctor's use of beauty (*decor*) and his employment elsewhere of the notion of suitability or harmonious fittingness (*convenientia*) suggest that he has musical concepts in mind. That is, the way in which he applies these concepts suggests that he is intentionally drawing from the world of music to explicate ethical and other philosophical concepts and has, in effect, infused concepts such as *convenientia* with aesthetic connotations. Consider, for example, what a chord is: an arrangement of multiple notes in a particular order so that a certain harmony is produced. The positioning of the notes relative to one another creates certain intervallic relations; when the notes are played simultaneously, they give rise to a particular harmony—major, minor, diminished, and so forth. The harmony arises from, or rather is produced by a particular ordered arrangement of multiple notes. Scotus understood that the pleasant sound produced from a proper chordal voicing is not something added to the chord; rather, like the morally good act, the *decor* is, as Sondag puts it, "the proper effect" of the musical act, which is the rightly ordered notes played simultaneously at the right time and place, in the proper manner, and so forth. In fact, in the *Lectura*, Scotus enters into a discussion of the harmonies produced by a harp, noting that its pleasing sound arises from properly ordered chordal voicings and the manner in which the harpist strikes the chords.[84] Just as notes harmonized and played properly delight one's sense of hearing, so too, analogously speaking, is God pleased with our morally good acts.[85]

Musical metaphors are likewise utilized in his work *De Primo Principio*. In the context of his analysis and the concept of infinite being, Scotus emphasizes the harmonious relation between the terms "being" and "infinite."

> The intellect, whose object is being, finds nothing repugnant about the notion of something infinite. Indeed, the infinite seems to be the most perfect thing we can know. Now if tonal discord [*discordia in sono*] so easily displeases the ear, it would be strange if some intellect did not clearly perceive the contradiction between infinite and its first object [viz., being], if such existed. For if the disagreeable [*disconveniens*] becomes offensive as soon as it is perceived, why is it that no intellect naturally shrinks [*refugit*] from infinite being as it would from something out of harmony [*a non conveniente*] with, and even destructive of, its first object?[86]

Of particular interest for our purposes is the analogy Scotus makes between the way in which the (well-trained) ear perceives dissonance or consonance and the way that the (well-trained) intellect is able to grasp the fittingness of the concept of infinite being. As Ingham observes, "Whether by auditory or visual imagery, Scotus seeks to describe the activity of rationality as a dynamic and creative process which involves different aspects of sense perception. Rational reflection involves not only a trained eye but a trained ear."[87]

Before transitioning to Scotus's analysis of a particularly dissonant act—slavery—I want to discuss one additional passage where he employs musical terminology and appeals to musical images to unpack various aspects of his moral theory. Having highlighted Scotus's use of the term "consonance," I shall then develop his image further, bringing his dynamic view of natural law, as well as his emphasis on the beauty of moral acts and the creativity and practical skill of the moral agent, into conversation with themes previously discussed in Foucault and Fanon.

In *Ordinatio* III.37.25–28, Scotus uses the term "*consonare*" (to be consonant) four times to explain the relationship between natural law in the extended sense and natural law in the strict sense. For example, the Subtle Doctor states, although the precepts of the second table of the Law—that is, natural law in the extended sense—"do not follow necessarily" from the precepts of the first table of the Law—that is, natural law in the strict sense—nonetheless, the former are "highly consonant" (*multum consona*) with "those first practical principles that are known in virtue of their terms and necessarily known to any intellect [that understands their terms]."[88] Building on Scotus's metaphor, perhaps we might think of natural law in the strict sense as an unchanging melody given by God in order to reveal himself—his love, beauty, goodness, and so forth—to his creatures. This divine melody is a theme that reverberates throughout the created order and sounds most strongly in the human heart. Natural law in the extended sense is the harmonic background supporting the divine melody and drawing attention to its beauty. One could imagine a different harmonic background upon which the melody might be played—one could conceive, for example, an alternative consonant or even an extremely dissonant harmonic background. However, just as with a masterpiece like Beethoven's *Fifth Symphony*, whose main theme is so distinctive and pronounced yet is so intimately tied to the harmonies, rhythms, and unfolding compositional "story," if Beethoven were to completely reharmonize the piece, changing the time signature and main tonal center, we would hear the piece as a different, if not a "new," composition.

Similarly, God as divine master-composer, as Scotus might put it, according to his divine power (*de potentia absoluta*), could have presented us with a different set of natural laws in the extended sense and with different divine positive laws; yet, he has chosen in his wisdom and creativity, according to his ordained power (*de potentia ordinata*), to give us the second table of the Law as we have it.[89] That he also chooses to dispense with or reharmonize certain aspects or selected precepts of these laws at different times and with respect to different individuals is his prerogative qua master-composer. Such free activity in no way impugns his character since neither natural law in the extended sense nor divine positive law (e.g., circumcision in the Old Testament or certain dietary laws) entails the necessity of natural law in the strict sense.

Developing our musical analogy further and bringing in the two-power theme just mentioned, once you are given a musical framework structured according to a particular set of theoretical principles—analogous to the world into which we have been thrown and one designed to function according to specific laws—a certain regularity or order is established. As a result, those who live and work within this context must learn to work creatively *with* rather than *against* the given structures and principles. Refusal to do so not only alienates the musician from the artistic tradition, but it also hinders his or her own development as a musician and, in effect, silences his or her work, rendering it either obscure or unintelligible. If musicians here represent humans who must live and move and have their being within God's world and live according to his laws, then one can draw the comparisons relatively easily: human being is lived best when humans live harmoniously with God's laws—laws that are crafted to enhance, rather than impede their freedom and creativity.

In addition, once a musical framework has been given and established, those working in it are socialized by it. That is, although the musical scales, theoretical rules, harmonic progressions, and so forth could have been otherwise, that they are not creates a "feel" of permanence and attaches a sense of stability to the framework.[90] In other words, this particular framework becomes *the* framework, or stated otherwise, the contingent appears necessary. Consequently, since the musicians occupy the same framework, shared understandings of consonance and dissonance will develop naturally. Such shared perceptions also materialize due to shared skills among the musicians themselves (e.g., refined auditory skills), making them well-suited for creative work within this context. Analogously, humans created by God are well-suited for the world in which he has placed them—a world in which they are summoned as cocomposers to beautify and better themselves, others, and the world itself. Given our historical and temporal existence, the shared understandings of consonance and dissonance form a continuum of greater and lesser degrees, allowing for many variations on the given themes and much "movement" within the structures. Accordingly, dynamism is built into the framework itself, permitting and even beckoning artists to improvise the "original" themes so that they might be heard anew through the passage of time.

Here I want to return to our Beethoven example and engage in a thought experiment. What if Beethoven had crafted his masterpiece in such a way that in order for the main theme to sound most beautifully, select themes introduced in the opening movements were meant to be developed, placed within new extended harmonies, and set over syncopated polyrhythms inconceivable to those hearing only the earlier movements? Instead of a static one-time composition, what if Beethoven's symphony was intended as a multiauthored work, inviting multiple cocomposers to cocreate a dynamic, ongoing piece? The structure of the piece—its "narrative or form—as well as its central melodic themes are givens; they remain constant and are the framework within which the performers as cocomposers must choose to operate. Nonetheless, within the various movements or epochal periods, the themes may be reharmonized, ornamented, and improvised upon in myriad ways. The main themes and "storyline" must remain identifiable, but the structure itself both fosters and invites (by design) cocomposers of various intellectual levels, practical skills, and moral characters to contribute to the beauty of the whole. If we can imagine such a state of affairs, then perhaps we can apply the analogy to God's free creation of the world and his invitation to humans to participate in his, as it were, ongoing redemptive historical improvisational symphony, whose last movement continues to be written.

Although I have highlighted the dynamism built into the structures and framework of an artistic composition, I want to emphasize again that choosing to work with the givens is *not* to forfeit one's freedom or one's creativity. The expert musician is well aware of this fact, as she is one who has chosen to devote herself to the study of the masters, the principles of music theory, and the customary practices of the art, both submitting to and innovatively expanding the tradition.

Last—and hopefully the Scotistic echoes of this section will be heard—as a freely created structure, the framework itself could have been otherwise; however, the fact that it is not means that a certain level of stability and regularity characterize the present framework (analogous, of course, to the present world). If we acknowledge these givens and work creatively with them as cocomposers in an ongoing improvisatory symphony, we do well. Yet, as free beings, we can choose to reject this framework along with its principles and the authority of the person or persons responsible for the givens—the Giver of the givens. To do so is certainly possible, but it is not without consequences for oneself, for others, and for the piece itself.

Scotus on the Injustice of Slavery and the Groundwork for Universal Human Rights

At this point I want to try to bring together several strands from the previous sections of this chapter. In the first section, we analyzed Scotus's metaphysics of freedom, concentrating on his notion of the will as a self-determining rational power. We also looked at Scotus's appropriation of Anselm's dual affections, the affection for advantage and the affection for justice, stressing the ability of the latter to transcend the agent's natural *telos* and thus to free the agent to love an object or an other for its own intrinsic goodness. Then we discussed Scotus's innovative view of natural law in the strict and extended senses. Once again we encountered a foregrounding of the theme of freedom, both from the perspective of God as personal lawgiver revealing himself to his creatures via his ordained power and from the perspective of humans called to apply creatively and prudently God's wisdom, truth, goodness, and love. This led logically to a discussion of the moral goodness of an act and Scotus's preference for artistic and musical analogies in his explications of the harmony of the various elements constituting a morally good and beautiful act. Now I want to focus upon a particular action, slavery, as a concrete case study, which shall also serve as a transition to the final section of this chapter devoted to universal human rights. It was necessary to examine and elaborate the previous sections before engaging the topics of slavery and rights in order that I have at my disposal certain Scotistic categories and concepts. With these methodological preliminaries in place, let us now turn to Scotus's view of slavery.

In *Ordinatio* IV.36.1 Scotus, in stark contrast to most of his ancient and early medieval predecessors, argues that slavery—particularly, slavery as described by Aristotle in Book I of the *Politics*—is incompatible with natural law.[91] Scotus describes Aristotle's view of slavery as that

> according to which the master can sell the slave like an animal, for he cannot practice acts of virtue [*exercere actus virtutis*], since he has to perform servile actions at the command of his master. {Addition: And this servitude or enslavement is such that an individual loses all his legal rights to another person, which is something not to the good of the slave, but to his detriment, and this slavery is what Aristotle talks about when he says a slave is like an inanimate instrument, neither can he be good or virtuous. This kind of slavery, as we said, is not good but bad for the slave, and therefore the Apostle says: "Know that you are free and do not make yourself subject to any man."} This sort of slavery is introduced only by positive law.[92]

First of all, Scotus sees slavery of this sort in an extremely negative light. A human being is treated as if he or she is a nonrational animal. In such a situation, the person's ability to exercise and develop a virtuous character is severely constrained. Furthermore, the slave loses all legal or political rights, which Scotus says is "not to the good of the slave, but to his detriment."[93] Worse than relegation to a nonrational animal, as if that were not bad enough, the slave is treated and often legally classified as a mere tool or property of his or her master. Scotus ends the passage with a statement in harmony with St. Augustine's view of slavery as unnatural.[94] That is, Scotus's insistence that slavery of this sort comes about only by positive law signals that he, like Augustine, rejects the "natural" slave theory. To be human is to be free on multiple levels—metaphysically, morally, and politically. Slavery violates all three.

Scotus further states that there are only two instances in which "this vile form of servitude" can be just: (1) voluntary servitude for the purpose of paying a debt owed, and (2) in the case of hardened criminals who might otherwise harm themselves or others.[95] Yet, he is quick to qualify his claim regarding voluntary servitude, since this arrangement may go against the law of nature, because according to "the law of nature all are born free,"[96] and such a relation requires that one give up important aspects of one's freedom.[97] Scotus then addresses a possible third attempted justification that an objector might offer, the enslavement of those captured in war. To this possibility, Scotus counters that even if the captives might have been killed otherwise, such enslavement does not provide a "clear case of justice."[98] First of all, the war would have to be assessed as to whether it "was a just one of self-defense and not one of invasion," and one would have to be convinced "that the captive persisted in his obstinacy against the person fighting defensively."[99] Even if one assumes that these two stipulations have been met, Scotus says that nonetheless, "given that the captive could cease to be obstinate, since he has it in his power to change his mind, it seems inhuman to inflict on him a punishment that is against the law of nature."[100]

Two further objections are then raised: the first against Scotus's claim that all humans are born free and thus that slavery violates the law of nature; and the second concerning the relationship between positive law and natural law. The first objection is that according to Aristotle, slavery is just because some humans are naturally inferior intellectually; consequently, for their own benefit and the benefit of society, they must be ruled by those of superior intellect. Scotus responds that such an argument is applicable only with respect to "political service, where superiors appoint inferiors, not as distributing or arranging inanimate things, but rather in the way the less gifted are assigned appropriate tasks by the more gifted."[101] Thus, once again, Scotus rejects the ancient "natural" slavery argument. To the objection that a positive law in conflict with the law of nature can never be just, Scotus offers an interesting but rather convoluted and, ultimately, unconvincing answer. Particularly disturbing and unsatisfactory is Scotus's rather status quo response that once certain societal roles and duties are established, they must be upheld. For thinkers like Fanon and Douglass (and myself as well), who want to see social injustices addressed now rather than later, such claims ring hollow.

With respect to the complex question of positive law, sociopolitical rights, and whether justice obtains concerning each, Scotus references his statements made in *Ordinatio* IV.15, where he discusses, among other things, "how a right could be acquired by prescription."[102] Such a right could obtain, according to Scotus, if certain accepted legal conditions prevail. For example, a just land title acquired properly and possessed uninterruptedly for a time determined by law justly conveys a right of possession. However, Scotus immediately qualifies his answer, stating that his argument in *Ordinatio* IV.15 only "extends to possessions; not, however, to slavery, for, with respect to the law of nature, the reason for possessing gold and slaves is not the same; and it would be difficult by prescription to preserve the justice of retaining such slaves, unless one assumed that they became slaves by the other two ways mentioned at the beginning."[103] Toward the end of his reply, Scotus's comments become even more difficult to reconcile. Here Scotus responds to a possible biblically based challenge, namely, why do we find commands in the New Testament instructing slaves to obey their masters? In other words, would not this example constitute a case in which positive law justifies a practice in conflict with natural law or at least at odds with Scotus's claims that slavery is a violation of natural law? To this objection, Scotus replies,

> many obligations are unjust on the side of those for whom they are made; yet, nonetheless, once they are made, they are to be preserved. Hence, the Apostle showing that neither slavery as such is praiseworthy, nor (and even more unpraiseworthy) the detaining of anyone in slavery, says [1 Cor. 7:21]: "Were you a slave when you were called? Do not let it consume you; but if you are able to be made free, by all means, take advantage of it."[104]

Here we have a status quo response similar to St. Augustine's but with no reference to slavery obtaining as the result of the Fall; yet, Scotus is much more explicit regarding his own view on slavery, condemning it as a violation of natural law and unjust (excepting the indentured servitude and enslavement for criminal activities). This difficulty in Scotus's account is one that could, however, be resolved fairly easily with no substantial change to any of his major themes elaborated thus far. That is, one could emphasize that generally speaking when positive law violates natural law, the latter must prevail.

Moreover, Scotus's tension-ridden response toward the end of *Ordinatio* IV.36.1 is difficult to reconcile with his claims regarding morally good acts and his requirement that positive law, in order to qualify as just and good, must be harmonious with natural law. On the one hand, Scotus argues that slavery is a violation of the natural law given that we are, namely, free, rational beings. Scotus also admits that simply because a society accepts a practice such as slavery, this does not mean that the practice and the obligations it imposes are just. He even goes so far as to agree that with respect to the slavery of St. Paul's day many of the obligations imposed were unjust; yet, on the other hand, he continues with the baffling statement, "[B]ut nevertheless, once they have been established, they have to be observed."[105] Here, positive law and natural law are in clear conflict. Perhaps Scotus would appeal to divine approbation and hence divine dispensation as a way to resolve the tension. However, on Scotus's own terms, in addition to divine approbation, one's right or proper reason must be convinced of the justness of the act. As Scotus himself testifies, in his own prudential judgment, involuntary slavery of any kind is not just. Last and again appealing to Scotus's own principles, the act of enslavement affects directly the two fundamental human goods mentioned earlier, namely, truth and goodness, and thus works against and often restricts severely the subjugated person's moral, social, spiritual, and intellectual development. Likewise, the slavery advocated by Aristotle (and here we could add chattel slavery both ancient and modern), given its reduction of humans to a subhuman status and existence, is characterized by extreme dissonance in the historical contexts in which it has appeared. Thus, slavery of this sort creates a situation in which possible harmonious instantiations are highly suspect and improbable.

Before moving into our discussion of rights, I want to draw our attention to Scotus's remarks in article two of *Ordinatio* IV.36.1, the context of which is the Subtle Doctor's response to issues concerning slaves and marital and other legal rights. Here again Scotus condemns Aristotle's position on slavery, referring to it as "that damnable form of servitude, where the slave is like an animal."[106] Scotus then states, in a paragraph remarkably similar to passages we examined in Frederick Douglass's work *Narrative of the Life*[107] that even though according to Aristotle's theory of natural slavery—that "accursed slavery" [*servitude illa maledicta*]—wherein the slave is treated as a tool and possession of his master,

> it is not the case that he is only led in his actions and does not lead in any actions, because no matter how much of a slave he might be, even so he is a human being and thus has free will. From this, it is evident [*patet*]

> the great cruelty involved in first effecting [*inductione*] slavery, because it makes a human being with free will and a master of his own actions for the purpose of pursuing [*agendum*] virtue [*ad virtuose*], as though a brute animal, in view of the fact that he neither profits from [*utentem*] free will nor is able to pursue [*agere*] virtue.[108]

With this passage, we see that Scotus clearly has in view different senses of freedom. In the following section, one of our goals is to sharpen these different but related dimensions of freedom and to consider how they might be developed and deployed to address some of the concerns regarding political and citizen freedom raised by Douglass and especially Fanon.

Metaphysical Freedom as the Condition for the Possibility of Moral and Political Freedom

Although William of Ockham is most frequently identified as an important precursor to modern thinking about rights, Scotus's anthropology grounded in his metaphysics of freedom possesses the requisite elements for establishing a robust rights discourse.[109] In fact, as Wolter observes, the presuppositions of Scotus's moral philosophy "lead logically to a highly systematic humanistic ethics"[110]—a humanistic ethics with which Douglass and Fanon would resonate. As we mentioned toward the close of the previous section, Scotus's texts reflect different senses of the term "freedom." I shall map out two of those senses and add a third for clarity's sake.

First, Scotus's account of the will as a self-determining power has in view metaphysical freedom, which is essential to human *being*. Metaphysical freedom cannot be lost; thus, I take Scotus's claim regarding the slave still possessing free will to refer to this ineradicable feature of what it is *to be* human. Scotus's analysis of the intrinsic structures of the human will, namely, the two affections, and in particular, the ability of the affection for justice to both moderate and transcend our natural appetites, are key features of his particular account of metaphysical freedom. These intrinsic structures are not socially constructed; rather, they are universal, transcultural features shared by all humans.

Next, we have moral freedom. Moral freedom in our present postlapsarian state speaks to our ability to will, to nill, and to will not to will, as well as our ability to do the opposite of each. With freedom in the moral sense, we move into the realm of human responsibility, as here our acts can be judged praiseworthy or blameworthy. Moral freedom, as is the case with the third sense of freedom I shall discuss, is made possible by our metaphysical freedom. Social conditioning greatly affects our moral freedom, which means that our ability to develop a virtuous character can be in greater or lesser degrees increased or diminished by our various social contexts—familial, institutional, and so forth. As Scotus observed in *Ordinatio* IV.36.1, slavery "makes a human being with free will and a master of his own actions for the purpose of pursuing virtue, as though a brute animal, in view of the fact that he neither profits from free will nor is able to pursue virtue."[111] A slave's choices regarding education, residence, work, and sexual intimacy are not her own to make; rather, they are controlled and most often forced upon her by her master. Obviously, such a situation does not provide a context for human flourishing, but instead degrades and damages the person, violating the person's essential freedom and dignity.

Last, there is what I refer to as political or citizen freedom, which in some respects overlaps with moral freedom. With political freedom, we enter the realm of positive human law, which concerns legal and other citizens' rights from a state or civic standpoint. For example, civil laws, although extremely varied, often concern property rights, marital rights, voting rights, and so forth. Political rights, of course, differ depending upon the political regime; nonetheless, they are rights given to all citizens and are crucial for full participation in the body politic. In short, citizen rights are highly valued human goods. As such, their loss or absence diminishes severely the lived experience of human beings, limiting and in some cases practically eliminating their opportunities to thrive intellectually, spiritually, relationally, and morally.

In our chapters devoted to Frederick Douglass and Frantz Fanon, moral and political freedoms as well as civic and human rights are central concerns. The systematically oppressive sociopolitical context in which the slave or the colonized person lives creates a situation where both moral freedom and political freedom are severely strained, constrained, and often for all practical purposes nonexistent. Both Douglass and Fanon argue that a life deprived of political freedom is a miscarriage of justice, since it constructs a milieu in which a human person can be and often is treated by the dominant group as if he or she were subhuman. When a person has no rights as a citizen, and thus among other things, no legal protection, he or she becomes a prime target for exploitation of the worst kind.

Both Douglass and Fanon appeal to a common humanity and even to universal human rights in their condemnations of slavery and colonization. That is, they repeatedly direct us to the common humanity of the oppressed and the oppressor—a humanity that demands respect in light of the dignity owed each human person. Although Douglass's account has a religious dimension, given his Christian faith, religious faith is not a prerequisite for the condemnation of exploitative and oppressive treatment of fellow humans. As our analysis demonstrates, both men recognize the volitional and rational capabilities separating humans from other animals and both denounce the injustice and indignity involved in practices such as slavery and colonization, which, in effect, treat humans as if such capacities were not present. Last, in their respective narratives, Douglass and Fanon likewise highlight how their experiences of subjugation adversely affected their own moral and intellectual development.

With respect to moral and political freedom and how these aspects of freedom are augmented and diminished in large part by one's sociopolitical and cultural context, Douglass, Fanon, and Scotus have much in common. Foucault, of course, would sympathize with the notion of an individual's social formation or construction via particular institutions, discourses, and truth games. However, Foucault would not appeal to a common human nature or to universal human rights in order to ground moral judgments. On this point, Scotus's position, which in many respects is quite harmonious with humanism or humanistic themes we encountered in Douglass and Fanon, has much to offer. In particular, Scotus's articulation of metaphysical freedom as essential to the human person and thus as that which makes possible moral and political freedom provides a way to establish a universal rights discourse applicable to all humans in every cultural and historical epoch because humans qua humans possess metaphysical freedom as an intrinsic, constitutive property.[112] Moreover, by giving primacy to metaphysical freedom as that which makes possible moral and political freedom, one can defend human rights without requiring that others believe or adhere to a particular moral or political system. Given our current pluralistic society—at least in the West—this kind of flexibility is certainly a plus.

"Universal rights," as Luca Parisoli explains, "are special rights: they are special because one cannot use them as any other positive right protected in a legal system."[113] That is, because universal rights are tied integrally to our metaphysical freedom, they transcend whatever particular legal and civic rights might be established in historical epochs throughout time. Analogous to the *affectio iustitiae*, universal rights are more noble than ordinary legal and civic rights expressed via positive law, as they function, in part, to constrain positive law arbitrary or unjustly imposed. Ordinary rights and hence positive laws can and do, however, exhibit greater as well as lesser degrees of harmony with universal rights. Moreover, as was the case with the relation between natural law and positive law on Scotus's account, the relation between universal rights and ordinary rights could also be evaluated through the proper use of right reason.[114]

Given the focus of my present project, I shall not attempt to offer—if such is even possible or wise—an exhaustive list of universal rights; however, based on the components of Scotus's metaphysics of freedom, I contend that involuntary slavery, and by implication the historical European colonizing practices Fanon describes, are infringements of our universal human rights to pursue a good life, a life of human flourishing and freedom. Such is the case because these oppressive practices violate human dignity and thus violate what Scotus calls our metaphysical freedom, which, as I have stressed, is an essential metaphysical feature of the human person, an ontological constant and permanent possession of humans as such.

The Franciscan, Scotistic-inspired anthropology with its multidimensional account of freedom is compatible with many of the sociopolitical and ethical concerns of our previous dialogue partners. For Douglass and Fanon, this more robust, "thicker" ontology of the human person provides a strong support for their respective moral critiques of oppressive social practices, namely, slavery and colonization. Although aspects of Scotus's discussion of the biblical "justification" for slavery are problematic, his philosophical argument condemning slavery as an unjust practice is one that both Christians and non-Christians could employ—and not only against slavery but also against multiple analogous oppressive and exploitative practices in which humans are treated as property or mere "resources" for the benefit of others.

Last, Foucault's insights regarding power relations and resistance, reverse discourse and self-writing, and his preference for nondominating relations would benefit with respect to logical coherence and "grounding" by adopting a Scotistic-inspired anthropology. Such a move would permit the contemporary Foucauldian, as they say, to have her cake and eat it too. That is, she would have a way to assuage the concerns raised in our previous chapters regarding potential incoherencies in Foucault's account—for example, his claims that power relations presuppose free subjects and his failure to address what exactly makes a subject free, his reticence to make transhistorical ethical claims while clearly preferring nondominating power relations, and so forth—and she could make use of Foucault's penetrating analyses to address contemporary sociopolitical and emancipatory concerns.

Here one both attuned to and aligned with Douglass's and Fanon's insights and who likewise is open to adopting and adapting Scotus's anthropology and discourse on freedom might want to pose a serious question to a hypothetical Foucauldian objector unconvinced of the need for a "thicker" Scotistic-inspired ontology: why is it the case empirically speaking that, no matter what epistemai we have in view, humans typically resist oppressive power relations and sociopolitical arrangements such as slavery or colonization? On Scotus's account, one could point to the Subtle Doctor's notion of metaphysical freedom and the transcultural, nonconstructed, intrinsic features of all humans in order to explain this phenomenon. That is, given that metaphysical freedom is essential to human *being*, humans naturally resist when others—whether individuals or a society at large—attempt to eliminate that freedom and its dimensional "extensions" (moral and political freedom). Stated from a slightly different perspective, human metaphysical freedom is *telic*: when this freedom is threatened, humans by and large struggle and resist their oppressors. Once they achieve a state in which their freedom is respected, which of course varies according to the cultural context and historical epoch, they tend to cease resisting and begin working toward establishing personal and communal relations, which uphold equality, liberty, and human flourishing.[115] This tendency to resist oppression is, like human cognitive and volitional capacities, nonconstructed, cutting across cultural and historical differences. Moreover, access to human goods such as education, psychological well-being, and moral instruction are basic human goods. All humans regardless of their historical and cultural setting ought to have access to these goods or at least should not be forced to live in social context that intentionally and/or structurally denies or severely constrains one's ability to develop or pursue these basic human goods. As far as I can tell, the Foucauldian has no adequate or satisfactory answer or account as to why humans resist oppressive, dominating, nonreciprocal power relations; yet, the Foucauldian—or at least most Foucauldians I have encountered—believes that such relations are problematic and undesirable.

In conclusion, if metaphysical freedom is, as Parisoli puts it, the "source of all rights" and thus "inalienable" and ineradicable, then we have justification for resisting and rebelling against unjust rulers and regimes in *this* world.[116] The invocation of this metaphysical freedom does not require adherence to particular moral or political systems given that the latter are grounded in the former in what one might call supervening relations of sorts. Metaphysical freedom as essential to human *being* and the mark of human dignity signals the "very limit of coercions that a person can bear."[117] Consequently, not only the citizen, but the slave deprived of moral and political freedom "has the right of rebellion in order to reach a different political order or in order to save his or her own soul."[118] This "right of rebellion" belongs to the slave as well as the citizen because the former and the latter are persons whose ineradicable metaphysical freedom makes possible universal human rights, which both protect and preserve that freedom—a freedom that seeks to express itself in the many concrete sociopolitical and relational contexts where humans live, move, and have their being in the-here-and-now.

CHAPTER 6

Recapitulation: Humans as Socially Constructed and Free, an Ongoing Improvisation

Major Themes Restated: Power, Resistance, and Freedom

I began my first chapter with a series of Aimé Césaire-inspired staccato lines—foreboding lines pulsating with an internal dissonance and sounding a warning against, as Foucault might say, discourses of progress masking violence and operating not coercively or covertly but openly, endorsed willfully by our own collaborative actions. In an era when American exceptionalism is a constant refrain, when new wars are initiated before prior "interventions" have ceased, and when the terrorist other is the new scripted subjectivity we are told to fear and hate, perhaps we ought to pause to consider whether our so-called destiny is in fact a flawed destiny. Moreover, following the lead of Douglass and Fanon, perhaps we need to critically examine the sociopolitical and religious narratives and subnarratives of our day, asking ourselves whether they in fact promote freedom for all and the genuine flourishing of human beings.

There are, of course, many ways one may attempt to answer questions about freedom and what is truly good for humans. Because we are social creatures, always and ever in relation to others, our inquiries and concerns must also involve how to live peacefully with others, recognizing and respecting difference while affirming our common humanity and striving together toward shared communal goals. As we have seen, an interlocutor like Foucault would already take issue with the notion of common humanity, preferring instead to focus his analyses on human subjectivities shaped in relation to the truth games of specific epistemai. Contra Charles Taylor, Jürgen Habermas, and a host of others, I have argued that Foucault does, in fact, affirm human agency and freedom,[1] as his account of power relations, resistance tactics, and self-writing requires free subjects. However, for Foucault, freedom is conceived in what we might call an ontologically "minimalist" or "thin" view. That is, a free subject is one whose relations with others allow a field of possibilities for acting on one's own actions as well as others. That field may, if the power relation morphs into a dominating relation—as in the case of a master and a slave—become severely restricted. Nonetheless, on Foucault's account, even in these extremely oppressive situations, the agent retains her freedom as long as she is able to resist in some form or fashion. Here our dialogue with Douglass proved exceedingly helpful. Douglass, a chattel slave who lived under the harshest of conditions, nonetheless, actively engaged both in subversive tactics and in positively renarrating his subjectivity. Although Douglass's humanity was violated and his freedom constrained and pressed to the utmost limits, he was not rendered completely passive. As Scotus would say, his metaphysical freedom remained, even though his moral and political freedoms were in praxis rendered nonexistent.

By examining concrete, historical manifestations of dominating power relations via our study of Douglass's life as a slave, as well as Fanon's reflections of the colonized, Foucault's theoretical analyses of the nature and scope of power relations gain in clarity and empirical validity. In light of the misunderstandings surrounding Foucault's conception of power relations and the central role they occupy in my study, let me here summarize my analytical conclusions. In his most lucid and concise explanation, Foucault defines a power relation as "a mode of action which does not act directly and immediately on others. Instead it acts upon their actions."[2] Power is neither a thing nor a substance; it is neither inert nor static; rather, it exists only in relation to others and is characterized by dynamism and mutability.

Moreover, power relations and resistance possibilities are inseparable, and in fact, assume free, active subjects. For example, in his late 1982 essay "The Subject and Power," Foucault writes, "[I]n order to understand what power relations are about perhaps we should investigate the forms of resistance and attempts made to dissociate these relations."[3] With this statement, Foucault suggests that power relations and resistance possibilities are essentially linked. In fact, for Foucault, power and resistance are correlative concepts. Recognizing the reciprocal relation of these two notions provides a hermeneutical lens for interpreting Foucault's statement that "[w]here there is power, there is resistance, and yet, or rather consequently, this resistance is never in a position of exteriority in relation to power."[4] Given the correlativity of power and resistance, if a relation rigidifies and closes off resistance possibilities, the relation is no longer considered a power relation. In such a situation, one member of the relationship has been rendered utterly passive, which, for Foucault, means that we are no longer dealing with a free subject; consequently, the reciprocity of actions ceases, thus transforming the relation into a relation of violence. Conversely, if even a limited field of possible actions is available to the subjugated member, a power relation is operative. "[P]ower and resistance," as Kevin Jon Heller puts it, "are no more than two different names Foucault gives to the same capacity—the capacity to create social change."[5] Social change can, of course, be for the better or the worse. Thus, on Foucault's account and the corroboration and strengthening of his account via Douglass and Fanon, given the positive possibilities opened when relations of power obtain, we must reject the notion they are essentially characterized by violence, a negation of freedom, or domination. In contrast to a relation of violence, power relations have a creative, productive dimension, allowing one to renarrate one's subjectivity and to influence positively the actions of others and over time society at large.

To stave off confusion between what he means by power relations and what characterizes relations of violence, Foucault contrasts the two types of relations, emphasizing the passivity of the latter and the activity of the former.

> A relationship of violence acts upon a body or upon things; it forces, [. . .] it destroys, or it closes the door on all possibilities. Its opposite pole can only be passivity, [. . .] On the other hand, a power relationship can only be articulated on the basis of two elements which are each indispensable if it is really to be a power relationship: that "the other" (the one over whom power is exercised) be thoroughly recognized and maintained to the very end as a person who acts: and that, faced with a relationship of power, a whole field of responses, reactions, results, and possible inventions may open up.[6]

Again, what characterizes a relation of violence is forced passivity resulting in the inability to resist the other's actions upon oneself, as well as the inability to alter, modify, or transform one's actions and the actions of others. A paradigm case of a relation of violence is a person bound in chains and left to starve to death in a prison cell. Here the prisoner's options are closed off; he can do little if anything to change his situation for the better. Barring some outside intervention, his imprisonment will eventuate in death.[7] In short, relationships of violence do not permit reciprocal constructive transformation; they are detrimentally asymmetrical with the violent, active partner determining what will or will not take place.

A genuine power relationship—although itself asymmetrical to some degree—is nonetheless open, dynamic, and mutually transformative. Foucault's account of power relations does allow for different manifestations, ranging from extremely positive relations between, for example, a professor and a student or a parent and a child, to negative dominating power relations such as that between a master and his slave. The latter, dominating example, even though it presses the limits of Foucauldian power relations and includes elements that resemble relations of violence and which in fact occur in relations of violence, yet, because a field of possibilities is still open to the slave for resisting his master and rewriting his own subjectivity, it remains within the power relation continuum.

At this point, an objector might question the validity of classifying relations of dominance as power relations between free subjects. After all, a chattel slave such as Douglass was not even considered a human being under law; rather, Douglass qua slave was legally marked and treated as a thing, the mere property of his master. How then can Foucault's requirement noted in the aforementioned passage be fulfilled? That is, how can a slave like Douglass, living in a thoroughly racialized and oppressive society, be recognized as a person who acts? Here I offer a twofold Foucauldian response. First of all, Douglass's narrative demonstrates that even while forced into a liminal, social death existence, he became literate, creatively transforming his environment and interactions with white others into educational sites to better himself. Clearly, Douglass willfully acted on his own as well as the actions of others. For example, by utilizing the pride of young white boys—in particular, their desire not to lose or appear intellectually inferior to a black slave—he was able to get them to agree to writing and reading duels. The result, unbeknownst to them, was that they served as Douglass's teachers, correcting his mistakes and aiding him in his goal to achieve literacy. Thus, because Douglass chose to act within this admittedly severe, constrained environment constituted by relations of dominance, he not only defied his sociopolitical classification as thing or property, but likewise resisted and rescripted his subjectivity imposed by the white other. Douglass's rhetorical and oratory skills served as a living argument, demonstrating both his rational and volitional capacities and by implication his humanity, highlighting the utter absurdity and moral depravity of nineteenth-century American white society. This absurdity brings us to the second possible Foucauldian response. Although white society legally classified slaves as mere subhuman things and promoted false narratives about the moral and intellectual deficiencies of black people, their actions toward and relations with slaves suggest at some level they were engaged in self-deception, suppressing the truth for their own benefits. After all, white masters regularly engaged in consensual (as well as violent) sexual relations with their slaves, entrusted their children to slaves, and assigned slaves administrative and other tasks requiring the use of well-developed reasoning skills.

As I examined selections from Foucault's corpus, I also noted how in his early works he tended to focus on the social construction of subjectivities, whereas in his later works the emphasis was on the active self-construction of subject-making. Although Foucault scholars are divided as to how precisely to interpret his so-called turn to the subject toward the end of his career, many commentators have concluded that his later work on subject-formation is a clear departure from his earlier presumed participation in the subject's death. In agreement with Amy Allen and a few other "minority" voices, I argue that most if not all of Foucault's condemnatory remarks concerning the subject are not intended as a death sentence for the subject per se, but instead are more accurately described as an attack against a particular sociohistorical construction of the subject and subjectivity. That is, Foucault's critique is directed at the modern subject as sovereign originator of meaning, as a subject with special immunity to cultural and sociohistorical shaping. If this is the case, then Foucault's late work does not constitute a rupture or a major discontinuity with his earlier analyses of subjectivities; rather, his "return to the subject" is better understood as a variation on a constant theme running throughout his corpus, a genealogy of subjectivities both socially constructed and self-constructed. Whereas Foucault's early and middle works lay more stress on the social construction of the subject, giving rise to discussions of the delinquent, the homosexual, and the deranged, his later writings, as noted previously, emphasize a more active, intentional subject.

With respect to his focus on a more active subject, Foucault states, for example, in his essay "Self-Writing," that his work in that period constitutes "part of a series of studies on 'the arts of oneself,' that is, on the aesthetics of existence and the government of oneself and of others in Greco-Roman culture during the first two centuries of the empire."[8] Along similar lines, in his inquiries concerning self-technologies, Foucault engages in genealogical analyses of ancient and medieval *ethopoietic* and ascetical practices in which the subject actively shapes herself, subjecting herself willingly to various disciplinary practices in order to live a creative, beautiful life.

In light of Foucault's stress on the communal as well as the individual's influence in subject-formation, I employed the phrase "double construction of the subject" to connote both the social and the self-construction of the subject. Although Foucault shies away from offering explanations as to how self-construction is possible—and this signals a deficiency in his account to which I shall return shortly—he does make very clear that the focus in his later studies on active subject-making should not be construed as a return to or retrieval of a modern, founding subject. As he states plainly in his 1984 interview with Alessandro Fontana, "[T]here is no sovereign, founding subject, a universal form of subject to be found everywhere."[9] Rather, we have subjects constituting themselves through self-technologies, self-imposed disciplinary practices, or, as Foucault puts it, "through practices of liberation, of liberty, as in Antiquity, on the basis, of course, of a number of rules, styles, inventions to be found in the cultural environment."[10]

Instead of a modern autonomous subject, which Foucault finds problematic, he returns to Greco-Roman texts to point to the possibilities of a subject who acts upon herself in order to master herself and to create her life as a work of art. Foucault understood these ancient ethical practices as "a style of liberty," in which one sought an "ethics of existence in order to "affirm one's liberty and to give one's life a certain form."[11] Such practices necessarily entail intentional decisions and a commitment to self-imposed disciplinary practices—practices that, as he himself notes, arise from specific cultures and traditions. In other words, unlike modern autonomous conceptions of the subject, which downplay or deny the social formation of subjects, Foucault is at pains to stress, on the one hand, the subject as a creative self-elaborator, and, on the other, the subject whose self-creation as an historical sociopolitical being takes shape through reappropriating in new and at times subversive ways the traditions, practices, and "already-saids" of his or her cultural context.

Returning to Foucault's conception of power relations and resistance, my analysis highlights repeatedly that his account presupposes volitional and rational capacities distinctive of *human* being. I stressed that although Foucault does not affirm explicitly any notion of transcultural or universal ontological structures common to all humans, his project risks incoherence and a diminution of its emancipatory prospects as a result of his reticence on this point. More specifically, Foucault's concerns regarding subjugated subjectivities and his insights regarding the productive nature of power relations—a notion entailing resistance possibilities—become difficult to defend apart from some account of what humans beings are and what makes them different from other animals such that they should not be treated as property, commodities, or exploited for the benefit of others. Likewise, without an account of what makes humans unique and worthy of dignity across historical epistemai, Foucault's own aversion to dominating, inflexible, one-sided power relations, a panoptic society, or the increase of biopower in the body politic loses its force and is reduced to a mere preference.

Improvising and (Re)harmonizing Premodern, Modern, and Postmodern Themes

However, because Foucault's account of power relations and resistance capabilities, structurally speaking, assumes certain transcultural ontological capacities shared by human beings, a contemporary thinker attuned to the justice issues raised by Douglass and Fanon and convinced of the need to embrace a "thicker" anthropology could utilize Foucault's insightful analyses. For example, turning first to Douglass and Fanon, although the social analyses and critical philosophy of both Douglass and Fanon have much in common with Foucault's project, the former takes unambiguous moral stands on human rights, citizen rights for all, and the injustice of slavery and colonization. The personal narratives of Douglass and Fanon help us to see concretely why mere intellectual or spiritual freedom is unsatisfactory for human living in *this* world. As psychological, spiritual, and material beings, our freedom necessarily involves our bodies. Consequently, confinement to segregated spaces and unjust restrictions based on "race" or other embodied differences with respect to educational, employment, health care, and other crucial human goods constitute a violation of human freedom in all its various aspects.

With both Douglass and Fanon, we encounter historical instances of socially constructed subjectivities—the slave and the colonized subject. For example, Douglass recounts how the disciplinary practices he was forced to endure at Mr. Covey's plantation were designed to create docile bodies—subjects who would respond immediately and unreflectively to the master's commands, "trained" through calculated violence and brutal work regimes. Although lacking in technological sophistication, Covey's techniques are similar to Foucault's depiction of panoptic surveillance. That is, Covey's disciplinary methods and maneuverings created an ever-present white gaze, which was eventually interiorized by the black slave. This internalization of the master's gaze and its companion white narrative scripting blacks as inferior and subhuman was a breaking point for both Douglass and Fanon; yet, once again, consonant with Foucault's account of power relations, both men were able to resist and to engage in subversive tactics allowing them to renarrate their subjectivities.

Among the tactics deployed were various applications of what Foucault calls "reverse discourse." In reverse discourse one takes up the discursive elements of the hegemonic sociopolitical and religious narratives, infuses them with new meanings, and develops a counternarrative, challenging the accepted norms and values promoted in the dominant discourse. Intentional resistance tactics along these lines require distinctively human volitional and rational capacities—capacities that Douglass and Fanon, given their liminal, subjugated existence, thematized in their accounts. That is, Douglass and Fanon both appealed to the fact that they too share in the common nature of human beings and thus should not be treated as property or exploited for the economic benefits of white society.

In short, by turning to Douglass's historical account of his suffering and struggle for emancipation, Foucault's theoretical claims regarding the correlativity of power and resistance, as well as his claims regarding the productive nature of power relations are strengthened and given a material grounding thus enhancing their persuasive force. In addition, Foucault's oft-criticized and misinterpreted statement regarding the all-pervasiveness of power relations is constructively broadened to include what he intended all along, the ever-present possibility of resistance—and with resistance, the opportunity for personal and social transformation, for becoming, as he puts it, otherwise than we are.

Fanon, like Douglass, was unsatisfied with mere inner freedom and devoted his life to combat and to expose the dehumanizing practices of colonialism and racism. Conversant with several European thinkers, including Hegel, Sartre, and Merleau-Ponty, Fanon challenged their Eurocentric philosophies, arguing convincingly that they had failed to take account of the difference of embodied experience, of what he calls the "lived experience of the black man." As Fanon rightly points out, in a racialized society where phenotypic differences such as black skin are infused with negative meanings and serve as signs of a supposed inner, deficient reality, even the comportment of a black person's body is adversely affected. In mundane activities, such as asking a white female for directions, the black male must scrutinize his every movement—from the distance between their bodies to how long or whether he ought to make eye contact. A movement deemed inappropriate might easily result in a severe beating or perhaps even cost him his life.

With Foucault, Fanon stresses the contingency of one's present sociopolitical context, an emphasis that is central to the emancipatory dimensions of both thinkers. For example, Foucault describes his critical project as historical, genealogical, and archaeological. That is, his interests lie in an historical analysis of "the events that have led us to constitute ourselves and to recognize ourselves as subjects of what we are doing, thinking, saying."[12] Employing his archaeological and genealogical methodologies, Foucault is able to uncover the, as it were (temporarily), solidified structures of various historical epochs—what he calls historical a prioris—and to retrace the specific practices, institutions, discourses, and other historical particularities that have shaped our present situation. Although historical a prioris, as the conditioning structures or rules of a particular episteme, serve as constants and allow various practices and discourses to congeal, they are, nonetheless, *historical* and contingent. In other words, they can and do change over time.

For those like Fanon and Douglass, as well as others sharing their sociopolitical and ethical concerns, this is good news, as it means that a particular configuration of society with its attendant norms and hegemonic discourses, no matter how widespread and entrenched, is open to transformation. Thus, we encounter another overlap in the thought of Foucault and Fanon, namely, both are engaged in projects seeking to uncover the historical, contingent, and sociopolitical aspects surrounding subject-formation—aspects that all-too-often present themselves as necessary, universal, and "natural."

In light of his rejection of a transcultural human nature and by implication, transcultural, nonconstructed ontological capacities, Foucault, unlike Fanon, does not employ a grammar of universal or natural human rights, which is *not* to say that he dismisses altogether themes characteristically associated with humanism or humanist concerns, in particular, concerns for human freedom and protection against exploitation and oppression. Both Fanon and Douglass appeal to a shared, universal human nature uniting all humans irrespective of "race," ethnicity, gender, and the like. Consequently, given this common nature, all humans, in Fanon's and Douglass's view, possess universal and natural rights, which, when violated, constitute an act of injustice. Slavery, then, which treats humans as things, is a violation against human being and personhood, because part of what makes humans what they are is their ability to act as free and rational agents. Slavery attempts to transform or rather to *de*form humans into subhuman beings; it not only violates human freedom, but it tries to construct reality according to its narrative, bending and contorting it in ways antithetical to human nature.

Dissonance, Philosophical Differences, and Potential Reharmonizations

At this point we come to a significant philosophical difference between Foucault and our modern dialogue partners, Fanon and Douglass. Even if Foucault made explicit—and he does not—his minimalist human ontological assumptions, he would *not* attempt to link a set of universal or natural rights to human rational and volitional capacities. Instead, given his conception of epistemai and the historical a prioris, truth games, and so forth, which shape each episteme, he would most likely tie whatever rights that happen to emerge in a particular period to that period. This being the case, Foucault could not—in order to be consistent with his own position—claim that slavery or colonizing practices are intrinsically and transhistorically unjust acts. Douglass and Fanon, in contrast, unequivocally affirm the injustice of these practices.

Like Foucault, Fanon is cognizant of the ways in which humanist narratives are and have been used to further dehumanizing and exploitative projects. Nonetheless, Fanon believes it possible to develop a new humanism, a humanism chastened by the historical atrocities of colonialism and purged of its Eurocentric and exclusionary deformations. In other words, Fanon refuses to dismiss human solidarity, seeking instead to promote what I call a "symphonic humanism" composed of multiple cultures and ethnicities, each contributing uniquely to the beauty and harmony of the whole.

The dividing point between Foucault and my modern dialogue partners regarding human nature and natural human rights serves as a uniting point between my modern and premodern interlocutors. Although Douglass and Fanon appeal frequently to natural rights and to our shared humanity, they (to my knowledge) do not provide a detailed explanation of human ontology or what makes our freedom in its various dimensions possible. In contrast, Scotus presents a detailed analysis of the metaphysics of human freedom, wherein he distinguishes several senses of freedom. These different aspects of freedom allow us to articulate an account of why natural rights obtain and why humans *naturally* resist oppressive practices.

Notwithstanding the many convergences between Foucault, Douglass, Fanon, and Scotus, there are, of course, serious divergences. Specifically, Foucault's reluctance to commit himself to any variant of a nonconstructed, transhistorical human nature, and consequently, his unwillingness to appeal to natural rights complicates and strains our dialogue with Douglass and Fanon, as well as with our premodern representative Scotus. As was mentioned earlier, Foucault, on the one hand, believes that each episteme is structured by historical a prioris, truth games, and the like, which creates an internal logic specific to *that* particular episteme; consequently, any rights that emerge are episteme-specific. Yet, on the other hand, Foucault's analyses of power relations, resistance possibilities, and subject renarration *assume* something like a constant human nature or at least trans-epistemai, nonconstructed rational and volitional capacities common to all human beings.

Additional tensions in Foucault's account arise in the realm of normative ethics. Foucault's own preference for nondominating power relations and his concern for the marginalized members of society are difficult to explain within the framework he establishes. Why should one prefer nondominating, flexible power relations? Why do humans by and large tend to resist oppressive relations and regimes? Why does such resistance seem to occur regularly over the course of human history? To these questions, our final Franciscan dialogue partner has much to say.

According to Scotus, metaphysical freedom is a constitutive feature of human beings. Furthermore, each human will can be analyzed in terms of two nonconstructed, intrinsic structures, namely, the affection for justice and the affection for advantage. The affection for justice both moderates the affection for advantage and allows a person to transcend his or her natural appetites, which, while not bad in themselves, can, if unrestrained, become problematic. Metaphysical freedom, for Scotus, serves as that which makes possible moral and political freedom. These different senses or dimensions of freedom allow Scotus to give a reasoned account as to why humans should not be forced into dominating, oppressive relations such as slavery or colonization, and to explain why humans typically resist such relations. Because metaphysical freedom is essential to what it is to *be* human, human beings naturally resist when that freedom and its dimensional aspects, moral and political freedom, are attacked and threatened. This suggests that human metaphysical freedom is *telic*.[13] This also explains why, when resistance to oppression finally brings about the restoration of a group's or individual's freedom and their ability to express that freedom concretely, the struggle ceases and a rebuilding phase occurs.

Having begun my project inspired by the opening lines of Césaire's *Discours sur le colonialisme* condemning such false narratives, it seems fitting to end with a final imitative, improvisational triplet, composed of key themes from our dialogue partners and pointing toward a new narrative. Of course, like every improvisational composition, amid the "already saids," something of my own voice shall sound, and I hope shall resonate with all who, on the one hand, find themselves a question to themselves, selves always on the way and never there, and yet, on the other hand, are compelled to seek likeminded others—wherever they may be found—in order to strive for a more just, humane, and harmonious world. As all our dialogue partners have taught us, humans live according to narratives. The narratives, of course, may be true or false, inclusive or exclusive, love-fostering or hate-fomenting. Synthesizing the findings of our dialogue across three traditions—premodern, postmodern, and modern—perhaps we might begin to imagine a new narrative, one characterized as:

- a faith-strengthening narrative: that is, a narrative that affirms our finitude and frailty, as well as our relational dependence;
- a hope-inspiring narrative: that is, a narrative that does not deny the dislocation of this world yet compels us to manifest the "not yet" in the "already";
- a love-engendering narrative: that is, a narrative that allows multiple voices to contribute distinctive melodies to an unfinished symphonic masterpiece.

If such a narrative built upon and oriented toward faith, hope, and love were not only imagined, but also enacted "on the ground" in community with others, perhaps Douglass's eloquent refrain of justice, freedom, and equality for all and Fanon's call for a new humanity would be heard and recognized as the opening themes of a New World Symphony, whose consonant melodies played against the often dissonant harmonies of this world recall what was and what is to come.

Notes

1 Themes and Their Variations: Harmonizing Humans as Socially Constructed and Free?

1. Frederick Douglass, "The Internal Slave Trade," in *Douglass: Autobiographies: Narrative of the Life of Frederick Douglass, an American Slave, My Bondage and My Freedom, Life and Times of Frederick Douglass*, ed. Henry Louis Gates Jr. (New York: Library of America, 1994), 436.
2. Ibid., 437.
3. Ibid.
4. Walter Johnson, *Soul by Soul: Life inside the Antebellum Slave Market* (Cambridge: Harvard University Press, 1999), 145.
5. Ibid.
6. Ibid., 142–3.
7. I shall have more to say about resistance as well as social construction shortly.
8. T. S. Eliot, "Burnt Norton, V," in *Four Quartets* (Orlando: Harcourt Inc., 1971 renewed copyright), 19.
9. See, e.g., Loïc Wacquant, "From Slavery to Mass Incarceration: Rethinking the 'Race Question' in the US," *New Left Review* 13 (2002), 41.
10. Melissa Harris-Lacewell, "Black by Choice," *The Nation*, April 15, 2010: http://www.thenation.com/doc/20100503/harris-lacewell (accessed April 17, 2010).
11. Ibid.
12. Ibid.
13. Ibid.
14. Dinesh D'Souza, "The One-Drop-of-Blood Rule," *Forbes* 158 (1996), 48.
15. Abraham Lincoln's Emancipation Proclamation (January 1, 1863) did not legally abolish slavery. Rather, it "declar[ed] that slaves in all states still at war with the federal government were free and would remain so. While taking care to exempt border slave states and the three Confederate states that the Union controlled, Lincoln nevertheless endorsed the idea of recruiting freed slaves and free blacks for service in the armed forces. The Emancipation Proclamation, however, technically freed no one, because Lincoln's authority was not recognized by the Confederacy" (*Africana*, s.v. "Thirteenth Amendment of the

United States Constitution and the Emancipation Proclamation"). Because the legislation was a wartime measure and applied only to slaves in certain states, abolitionists, women's advocacy groups, and others who had a vested interest in the abolition of slavery continued to press for additional legislation that would make slavery illegal throughout the United States. Such legislation finally came with the adoption of the Thirteenth Amendment in 1865.

16. Harris-Lacewell, "Black by Choice."
17. Ibid.
18. For example, the events (July 2010) surrounding the forced resignation of Shirley Sherrod—the NAACP's challenge to the Tea Party leaders to expel the racist elements from among their ranks resulting in Tea Party member Mark Williams's expulsion; Andrew Breitbart's Internet post of a highly edited video clip of Ms. Sherrod's alleged "reverse racist" speech at a NAACP meeting, which was immediately aired on Fox News and later shown to be an excerpted clip from a speech in which Ms. Sherrod was recounting her own story of racial reconciliation—suggest that race, race-baiting, race relations in the United States, and the media's role in constructing racial identities continue as significant sociopolitical problems that must be engaged. These issues are in no way resolved or behind us simply because Barack Obama holds the highest public office in America. See, e.g., Frank Rich's assessment of the Sherrod incident in his *New York Times* editorial, "There's a Battle Outside and It is Still Ragin'" (*The New York Times*, July 24, 2010): http://www.nytimes.com/2010/07/25/opinion/25rich.html?_r=1 (accessed July 26, 2010).
19. Frederick Douglass, "What to the Slave is the Fourth of July?", in Gates Jr., *Douglass: Autobiographies*, 431–2.
20. Ibid., 431.
21. Ibid., 432. The Psalm on which Douglass improvises is Psalm 137.
22. Ibid., 431.
23. Ibid.
24. Frantz Fanon, *Black Skin, White Masks*, rev. ed., trans. Richard Philcox (New York: Grove Press, 2008), 90, modified translation. "Car le Noir n'a pas plus à être noir, mais à l'être en face du Blanc" (*Peau noire, masques blancs* [Paris: Seuil, 1971], 88).
25. Ibid., modified translation. "Certains se mettront en tête de nous rappeler que la situation est à double sens. Nous répondons que c'est faux" (*Peau noire, masques blancs*, 88–9).
26. Ibid., modified translation. "Le Noir n'a pas de résistance ontologique aux yeux du Blanc. Les nègres, du jour au lendemain, ont eu deux systèmes de référence par rapport auxquels il leur a fallu se situer. Leur métaphysique, ou moins prétentieusement leurs coutumes et les instances auxquelles elles renvoyaient, étaient abolies parce qu'elles se trouvaient en contradiction avec une civilization qu'ils ignoraient et qui leur en imposait" (*Peau noire, masques blancs*, 88–9).
27. For a helpful historical and philosophical discussion of the significant figures and events that paved the way for nineteenth-century (pseudoscientific)

racial essentialism, see Robert Bernasconi, "Who Invented the Concept of Race? Kant's Role in the Enlightenment Construction of Race," in *Race*, ed. Robert Bernasconi (Oxford: Blackwell, 2001), 11–36. Bernasconi argues that although Kant was not the first to use the term "race," he was the first to give the term definitional precision. As Bernasconi explains, for Kant, what distinguishes race from variety is the fact that "races are marked by hereditary characteristics that are unavoidable in the offspring" (ibid., 17). Regarding the problems of a biological concept of race, see Daniel Blackburn, "Why Race is Not a Biological Concept," in *Race and Racism in Theory and Practice*, ed. Berel Lang (Lanham, MD: Rowman & Littlefield, 2000), 3–26. See also Ron Mallon, "'Race': Normative, Not Metaphysical or Semantic," *Ethics* 116 (2006), 525–51, especially 528–9.

28. Throughout my chapters, I shall use these terms interchangeably.
29. Mallon, "'Race': Normative, Not Metaphysical or Semantic," 528–9.
30. Ibid., 529.
31. Ibid.
32. Ibid.
33. Ibid., 525; italics retained. See, e.g., K. Anthony Appiah, "The Uncompleted Argument: Du Bois and the Illusion of Race," in *Overcoming Racism and Sexism*, eds. Linda A. Bell and David Blumenfeld (Lanham, MD: Rowman & Littlefield, 1995), 59–78; Naomi Zack, *Philosophy of Science and Race* (New York: Routledge, 2002).
34. Mallon, "'Race': Normative, Not Metaphysical or Semantic," 525–6, fn. 4. See, e.g., Charles Mills, *Blackness Visible: Essays on Philosophy and Race* (Ithaca, NY: Cornell University Press, 1998); Michael Root, "How We Divide the World," *Philosophy of Science* 67 (2000), S628–39; Ronald Sundstrom, "Racial Nominalism," *Journal of Social Philosophy* 33 (2002), 193–210.
35. Mallon, "'Race': Normative, Not Metaphysical or Semantic," 526. See, e.g., Robin Andreasen, "Race: Biological Reality or Social Construct?" *Philosophy of Science* 67 (2000), S653–66; Philip Kitcher, "Race, Ethnicity, Biology, Culture," in *Racism*, ed. Leonard Harris (New York: Humanity Books, 1999), 87–120.
36. As to my personal position on race, I situate myself within the racial constructionism camp, which denies any form of biobehavioral racial essentialism yet considers race an important social reality worthy of our discourse, study, and continued reflection.
37. I first encountered the analogy between social construction and the production of artifacts in Sally Haslanger's work. See especially, Haslanger, "Ontology and Social Construction," *Philosophical Topics* 23 (1995), 95–125.
38. Ibid., 98.
39. Regarding unintended socially constructed identities, in *Discipline and Punish*, Foucault traces the history of "delinquency," showing how it emerges as an unintended subjectivity produced by the modern prison system. This new subjectivity arises in spite of the fact that the stated intention of the institution is to rehabilitate offenders.

40. Fanon, *Black Skin, White Masks*, 90.
41. Haslanger, "Ontology and Social Construction," 100. Haslanger labels this type of construction "discursive." Here "[s]omething is discursively constructed just in case it is the way it is, to some substantial extent, because of what is attributed (and/or self-attributed) to it" (ibid.). Frederick Douglass makes similar observations in chapter 18 of his final autobiography, *Life and Times of Frederick Douglass*, in Gates Jr., *Douglass: Autobiographies*. "If from the cradle through life the outside world brands a class as unfit for this or that work, the character of the class will come to resemble and conform to the character described" (908).
42. Oxford Dictionary of Philosophy, s.v. "Free will."
43. Ibid., 218.
44. For example, a soft determinist could claim that even if the actual fact is that Anastasia drank coffee as a result of the causal series mentioned earlier, it is logically possible that the smell of freshly brewed tea (rather than coffee) causes Anastasia to desire the tea (rather than coffee), and this desire causes her to choose to drink the tea (rather than coffee). By contrast, a libertarian denies that the mere logical possibility of the smell of tea causing Anastasia to desire and drink tea rather than coffee is sufficient for Anastasia's freely choosing to desire and drink coffee rather that tea in the actual situation.
45. Although this sounds as if Scotus is proposing a contradiction, he in fact is not. He distinguishes between divided and composed senses of a proposition. I shall discuss this in detail in my chapter devoted to him. Of course, not all libertarians concerning free will would accept Scotus's notion of synchronic contingency. See, e.g., Roderick Chisholm, "Human Freedom and the Self," in *Free Will*, ed. Gary Watson (Oxford: Oxford University Press, 1982), 24–35.
46. Hans-Georg Gadamer, *Truth and Method*, 2nd ed. Trans. and rev. Joel Weinsheimer and Donald G. Marshall (New York: Continuum, 2004), 306.
47. Michel Foucault, "The Ethic of Care for the Self as a Practice of Freedom," in *The Essential Works of Foucault, 1954–1984,* Volume 1: *Ethics: Subjectivity, and Truth*, ed. Paul Rabinow (New York: The New Press, 2001), 292.
48. This is not to say that his position on slavery is not problematic. I shall address the weak points in his view in a later chapter.
49. My discussion of specific examples of such implicit moral claims follow in the chapter devoted to Foucault.
50. See Foucault, "The Ethic of Care for the Self."
51. See, e.g., Yves Charles Zarka's essay titled "Foucault et le concept non juridique du pouvoir," *Cités* 2 (2000), 41–52. Zarka describes Foucault's writing as "une tentative de libérer les discours assujettis, les discours des vaincus, les discours des révoltes où perdure la tradition d'une autre légitimité qui revendique ses droits et cherche à les faire prévaloir" ("an attempt to liberate subjugated discourses, the discourses of the conquered, the discourses of revolts where the tradition of a different legitimacy continues—a tradition that claims its rights and seeks to make them prevail") (42).

2 Foucault and Subjectivities

1. Michel Foucault, "Technologies of the Self," in *The Essential Works of Foucault, 1954–1984,* vol. 1: *Ethics: Subjectivity, and Truth*, ed. Paul Rabinow (New York: The New Press, 2001), 224.
2. Ibid., 249.
3. Ibid.
4. See also James Bernauer, "Confessions of the Soul: Foucault and Theological Culture," *Philosophy & Social Criticism* 31 (2005), 557–72, esp. 561–4.
5. See, e.g., Jürgen Habermas, "Some Questions Concerning the Theory of Power: Foucault Again," in *The Philosophical Discourse of Modernity: Twelve Lectures*, trans. Frederick G. Lawrence (Cambridge: MIT Press, 1990), esp. 266–93; Charles Taylor, "Foucault on Freedom and Truth," *Political Theory* 12 (1984), 152–83; Anthony Giddens, *Profiles and Critiques in Social Theory* (Berkeley: University of California Press, 1983), esp. 218–25.
6. For one possible schematization of Foucault's work, see Jeffrey T. Nealon, *Foucault beyond Foucault*: *Power and Its Intensifications Since 1984* (Stanford: Stanford University Press, 2008), 2. Nealon appeals to Beatrice Han's tripartite periodization: the archaeological period (1963–69), the genealogical period (1970–76), and the history of subjectivity (1984) (ibid.).
7. Peter Dews, "The Return of the Subject in Late Foucault," *Radical Philosophy* 51 (1989), 38.
8. Ibid.
9. For a dissenting voice challenging the view that Foucault's late work constitutes a radical departure from his earlier analyses, see Nealon, *Foucault beyond Foucault*.
10. Foucault himself will later call his inquiries of the subject "a genealogy of [the] subject." See, e.g., Michel Foucault, "About the Beginning of the Hermeneutics of the Self," *Political Theory* 21 (1993), 198–227, esp. 202.
11. Amy Allen, *The Politics of Our Selves: Power, Autonomy, and Gender in Contemporary Critical Theory* (New York: Columbia University Press, 2007), 19–20. See also Alan D. Schrift, "Foucault's Reconfiguration of the Subject: From Nietzsche to Bulter, Laclau/Mouffe, and Beyond" *Philosophy Today* 41 (1997), 154.
12. For a more detailed analysis of Foucault's later work highlighting a more active subject, see Cynthia R. Nielsen, "Unearthing Consonances in Foucault's Account of Greco-Roman Self-Writing and Christian Technologies of the Self," *Heythrop Journal* (forthcoming 2012). Article first published online on January 9, 2011, DOI: 10.1111/(ISSN)1468–2265.
13. Michel Foucault, "An Aesthetics of Existence" (An Interview with Alessandro Fontana, 1984), in *Politics, Philosophy, Culture: Interviews and Other Writings 1977–1984*, ed. Lawrence D. Kritzman (New York: Routledge, 1988), 50–1. For Foucault's analyses of Greco-Roman practices of active self-fashioning, see "Self-Writing," in Rabinow, *The Essential Works of Foucault, 1954–1984*, vol. 1: *Ethics: Subjectivity, and Truth*, 207–22.

14. Foucault, "An Aesthetics of Existence," 49.
15. Ibid.
16. Michel Foucault, "The History of Sexuality" (An Interview with Lucette Finas), in *Power/Knowledge*, ed. Colin Gordon (New York: Pantheon, 1980), 183.
17. Ibid.
18. Ibid.
19. Maurice Florence (Foucault's pseudonym) likewise characterizes the different phases of Foucault's work as interconnected, focused, and constituting the "same overall project," albeit from different perspectives and with differing emphases, on subjectivization, the mutual connection between subjectivization and objectivization, more specifically, "how various truth games have taken shape, truth games in the course of which the subject has become an object of knowledge" ("Foucault, Michel, 1926–," in *The Cambridge Companion to Foucault*, trans. Catherine Porter and ed. Gary Gutting [Cambridge: Cambridge University Press, 2005], 316).
20. Foucault, "An Aesthetics of Existence," 48.
21. Ibid. In his late essay "The Subject and Power," *Critical Inquiry* 8 (1982), 777–95, Foucault states explicitly that the aim of his work for the past two decades "has been to create a history of the different modes by which, in our culture, human beings are made subjects. [. . .] it is not power but the subject which is the general theme of my research" (777, 778).
22. See, e.g., Allen, *The Politics of Our Selves*, esp. chapter 2.
23. See, e.g., Foucault's dialogue with a hypothetical interlocutor in *The Archaeology of Knowledge* (209). Here Foucault's critique is clearly directed toward a particular view of the subject, namely, the modern, sovereign, ahistorical subject.
24. See, e.g., Seyla Benhabib, "Feminism and Postmodernism," in *Feminist Contentions*, eds. Seyla Benhabib et al. (New York: Routledge, 1995), 17–34, esp. 23–4. "Postmodern" and "postmodernism" are, of course, polyvalent terms. Benhabib appeals to Jane Flax's description of the postmodern position as embracing the following three "deaths": the "Death of Man," the "Death of History," and the "Death of Metaphysics" (ibid., 18).
25. David Stern, "The Return of the Subject? Power, Reflexivity, and Agency," *Philosophy & Social Criticism* 26 (2000), 112.
26. Ibid., 111.
27. Benhabib, "Feminism and Postmodernism," 21.
28. For a more detailed discussion of how a musician is both shaped by and reshapes musical traditions, see Cynthia R. Nielsen, "What Has Coltrane to Do With Mozart: The Dynamism and Built-in Flexibility of Music," *Expositions* 3 (2009), 57–71, esp. 67–8.
29. See Schrift, "Foucault's Reconfiguration of the Subject," for a helpful summary of these questions, esp. 156. Toward the end of his essay, Schrift discusses how contemporary Foucauldian-inspired philosophers—with particular emphasis on Judith Butler's conception of the subject as performative—have built upon, continued, and advanced Foucault's insights on subject-formations

and subjectivities. See, e.g., Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1995).

30. See, e.g., Charles Taylor, "Foucault on Freedom and Truth," 152–83; and Jürgen Habermas, "Some Questions Concerning the Theory of Power: Foucault Again," in Lawrence, *The Philosophical Discourse of Modernity*, 266–93.
31. Foucault, "The Subject and Power," 780.
32. Ibid., 785.
33. Ibid.
34. Part of my current project, as we shall see, is in fact to "flesh out" this possibility. For helpful suggestions along these lines, see Mark Bevir, "Foucault and Critique: Deploying Agency against Autonomy," *Political Theory* 27 (1999), 65–84. Bevir attempts to develop Foucault's thinking on power "as a basis for ethical critique" (ibid., 65).
35. Michel Foucault, *History of Sexuality*, vol. 1: *An Introduction*, trans. Robert Hurley (New York: Vintage, 1990), 92, 93, 95.
36. Foucault, "The Subject and Power," 786; italics in original.
37. Ibid., 788.
38. See, e.g., Anthony Giddens, *Profiles and Critiques in Social Theory* (Berkeley: University of California Press, 1983), esp. 218–25. Giddens claims that for Foucault, "power" is the real agent of history.
39. Foucault, "The Subject and Power," 788.
40. Ibid.
41. Ibid., 789.
42. Ibid.
43. Ibid.
44. Perhaps suicide as an act of freedom and resistance would challenge this claim. Even so, whether or not such an action constitutes a positive change depends upon one's moral assessment of suicide, the particular circumstances in which the act is committed, the reasons for the act, and myriad other considerations.
45. In his essay "The Subject and Power," Foucault might be interpreted as denying that slavery qualifies as a power relation. However, I understand his statement that "slavery is not a power relation when man is in chains" (790) not to speak of slaves in general, but rather to provide an instance in which a person's options (whether a slave or not), range of movement, field of possibilities, and so on are for all practical purposes nonexistent.
46. Kevin Jon Heller, "Power, Subjectification and Resistance in Foucault," *SubStance* 79 (1996), 83.
47. Ibid.
48. Foucault, *The History of Sexuality*, vol. 1, 95. Cf., Yves Michaud, "Des modes de subjectivation aux techniques de soi: Foucault et les identités de notre temps," *Cités: Philosophie Politique Histoire* 2 (2000), 11– 39, esp. 15–18.
49. Foucault, *The History of Sexuality*, vol. 1, 95.
50. Ibid., 96.

51. Ibid.
52. Foucault, "The Subject and Power," 790.
53. Ibid.
54. Ibid.
55. This is not to say that a power relationship can never involve physical violence. Slavery, no doubt, which pushes the limits of a relation of power, often entails severe bodily violence. The point is simply that a relation of power in Foucault's sense is not essentially characterized by such violence. That is, physical violence is not a definitional element of a power relation. Nonetheless, violence of this type can manifest in and even characterize power relations, especially in instances where the latter hover near the border between power relations and relations of violence.
56. Ibid., 790.
57. Ibid.
58. Ibid; italics added.
59. I shall develop this argument as my study unfolds.
60. "[P]ower is not that of voluntary servitude (how could we seek to be slaves?). At the very heart of the power relationship, and constantly provoking it, are the recalcitrance of the will and the intransigence of freedom" (ibid., 790).
61. Many thanks to my colleague and most excellent dialogue partner, Peter S. Dillard, for bringing this insight to my attention.
62. See ibid., 791–2.
63. Heller, "Power, Subjectification and Resistance," 85.
64. Foucault, *History of Sexuality*, vol. 1, 94. Interestingly, if one continues to read the full paragraph in which this citation is found, Foucault goes on to say, "If in fact they [power relations] are intelligible, this is not because they are the effect of another instance that 'explains' them, but rather because they are imbued, through and through with calculation: there is no power that is exercised without a series of aims and objectives" (ibid., 94–5).
65. See, e.g., ibid., 95. Here Foucault states that "the rationality of power is characterized by tactics that are often quite explicit at the restricted level where they are inscribed"; whereas strategies are "anonymous, almost unspoken" and function to "coordinate the loquacious tactics" (ibid.). Whether or not in his oeuvre Foucault consistently upholds this distinction is questionable. Inconsistencies may creep in through translation or may occur through a lack of precision that accompanies interview and other informal settings. Even so, the distinction is useful and facilitates a coherent reading of Foucault's statement.
66. Heller, "Power, Subjectification, and Resistance," 87–8.
67. Ibid., 85.
68. One interviewer, in fact, called Foucault an optimist, to which he responded: "There's optimism that consists in saying that things couldn't be better. My optimism would consist rather in saying that so many things can be changed, fragile as they are, bound up more with circumstances than necessities, more arbitrary than self-evident, more a matter of complex, but

temporary, historical circumstances than with inevitable anthropological constants" (Michel Foucault, "Practicing Criticism," in Kritzman, *Politics, Philosophy, Culture*, 156).

69. See, e.g., Foucault's discussion of delinquency in *Discipline and Punish*, 276–7.
70. Ibid., 277.
71. Ibid.
72. Ibid.
73. Regarding the "carceral system" and its production of new knowledges, Foucault writes, "We have seen how the carceral system substituted the 'delinquent for the offender, and also superimposed upon juridical practice a whole horizon of possible knowledge" (ibid.).
74. Michel Foucault, "The Eye of Power," in Gordon, *Power/Knowledge*, 156.
75. Ibid.
76. See Foucault, *Discipline and Punish*, esp. 59–62.
77. Ibid., 62.
78. Heller, "Power, Subjectification, and Resistance," 86.
79. This is not to make the absurd claim that same-sex (or male-female) erotic relationships did not exist prior to the nineteenth century. Rather, it is to claim that the pseudoscientific category "homosexual," as crafted by the dominant discourse of the day, resulted in a new subjectivity or subjectivity pair, homosexual-heterosexual.
80. Foucault, *History of Sexuality*, vol. 1, 100.
81. Ibid., 101.
82. Ibid.
83. On July 19, 2010, I was able to access "Scary Mary" at the following url: http://www.youtube.com/watch?v=2T5_0AGdFic. One can also simply initiate a search via Google or other browsers, entering the words "Scary Mary."
84. The analogy is not meant to suggest that reverse discourse always perverts or somehow worsens the dominant discourse. All analogies have their limits.
85. Foucault, *History of Sexuality*, vol. 1, 101.
86. Heller, "Power, Subjectification, and Resistance," 86.
87. Ibid., 87.
88. Ibid.
89. See, e.g., Foucault's essay "What is Enlightenment?" in Rabinow, *The Essential Works of Foucault, 1954–1984*, vol. 1: *Ethics: Subjectivity, and Truth*, 303–19.
90. This "essay" is actually the title given to Foucault's two-part lecture delivered at Dartmouth College in 1980. The first part is entitled "Subjectivity and Truth," the second "Christianity and Confession." The lectures are Foucault's attempt to present, given his time constraints, what he considered some of the most important aspects of his late work (e.g., *The History of Sexuality*, vols 2 and 3). Specifically, in these two lectures Foucault highlights the differences between ancient (mainly, Stoic) practices of self-examination and Christian practices of confession and self-deciphering. He concludes that in the modern

period key aspects of Christian technologies of the self are reconfigured and shape to a large degree the institutions, discourses, and practices that constitute the modern self.

91. Foucault, "About the Beginning of the Hermeneutics of the Self," 203.
92. Ibid.
93. Ibid.
94. Ibid.
95. Throughout my chapters, I use the terms "ethical" and "moral" synonymously. I recognize that some will take issue with my having done so; however, I hope, my having acknowledged this "up front" will stave off confusion as to how I am using the terms.
96. Nancy Fraser, "Michel Foucault: A 'Young Conservative'?" *Ethics* 96 (1985), 182.
97. See, e.g., Hubert L. Dreyfus and Paul Rabinow, *Michel Foucault: Beyond Structuralism and Hermeneutics*, 2nd edn. Chicago: University of Chicago Press, 1983, sec. ed.
98. Fraser, "Michel Foucault: A 'Young Conservative'?" 182.
99. However, I am in no way claiming that just *these* capacities exhaust what it is to *be* human.

3 Frederick Douglass on Power Relations and Resistance "From Below"

1. Lewis R. Gordon, "Douglass as an Existentialist," in *Frederick Douglass: A Critical Reader*, ed. Bill E. Lawson and Frank M. Kirkland (Oxford: Blackwell, 1999), 210.
2. Douglass actually wrote three autobiographies over the course of his lifetime. His first autobiography, *Narrative of the Life of Frederick Douglass, an American Slave*, was published in 1845. Its success catapulted Douglass onto the sociopolitical stage where he became a powerful voice in the fight against slavery. His second autobiography, *My Bondage, My Freedom*, was published in 1855. By this time Douglass was established in his role as an abolitionist and was likewise known for his oratory skills. Having further reflected on his years under the yoke of slavery, Douglass expands his earlier account with additional psychological analyses and sociopolitical commentary. His third autobiography, *Life and Times of Frederick Douglass*, was published in 1881. In this final version, Douglass continues to chronicle his efforts to combat racism and social injustice. Having now spent many years as a public figure, he reflects upon the victories and failures of his career. Because Douglass's first autobiography is the most widely read, I shall focus primarily on it, commenting occasionally on his other autobiographies when relevant.
3. "Homo sacer," "state of exception," and "bare life" are terms employed by Giorgio Agamben in his book *Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen (Stanford: Stanford University Press, 1998). Agamben draws upon the ancient Greeks and their distinction between zoē,

"which expressed the simple fact of life common to all living beings," and bios, "which indicated the form or way of living proper to an individual or a group" (ibid., 1). *Homo sacer*, a key figure in Agamben's thought and in many ways the mirror inverse of the sovereign, is both a "sacred" and an "accursed" human being. On the one hand, he lives in sociopolitical exile, "outside the camp," and is thus unworthy of a religious sacrifice to the "gods"; however, because he has been forced into a lawless space (e.g., a concentration camp) in which the laws of the land do not apply to him as they do to other citizens (i.e., a situation similar to a political "state of exception" wherein normal legal processes and so forth are overridden to deal with a crisis situation), he can be killed at any time for the alleged "good" of the state.

4. See Andrew Cole, "What Hegel's Master/Slave Dialectic Really Means," *Journal of Medieval and Early Modern Studies* 34:3 (2004), 577–610, for an interpretation of Hegel's master/slave dialectic—or better "lord" and "bondsman" dialectic. Cole argues that Hegel's analyses of these relations were influenced by his knowledge of Germany's feudal structures and thus were not as "abstract and idealistic" as some commentators claim, but rather "fully embedded in materiality and history" (579).
5. For an interesting discussion on this topic, see Henry Louis Gates Jr., Chapter 4, "Frederick Douglass and the Language of the Self," in *Figures in Black: Words, Signs, and the "Racial" Self* (New York: Oxford University Press, 1987), 98–125.
6. Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave, in Douglass: Autobiographies: Narrative of the Life of Frederick Douglass, an American Slave, My Bondage and My Freedom, Life and Times of Frederick Douglass,* ed. Henry Louis Gates Jr. (New York: Library of America, 1994), 15. See also Eric J. Sundquist, "Frederick Douglass: Literacy and Paternalism," in *Critical Essays on Frederick Douglass*, ed. William L. Andrews (Boston: G.K. Hall, 1991), 120–32. Sundquist shows how the various revisions in Douglass's autobiographies point not only to Douglass's own existential struggles with his paternity, but they also constitute "a meditation on the corruption of the family by paternalistic power" (ibid., 127).
7. Douglass, *Narrative of the Life*, 15.
8. Lewis R. Gordon, "Douglass as an Existentialist," in Lawson and Kirkland, *Frederick Douglass,* 223.
9. Ibid.
10. Douglass, *Narrative of the Life*, 15.
11. Ibid., 57.
12. Ibid, 58.
13. Ibid.
14. Ibid.
15. Gordon, "Douglass as an Existentialist," 219.
16. Ibid.
17. Ibid.
18. Ibid.

19. In his essay "Douglass as an Existentialist," Gordon comments on the Covey episode but as presented in Douglass's second autobiography, *My Bondage, My Freedom*; see esp. 219–22. In this later account, Douglass states explicitly that his physical resistance was a defensive move. "I was strictly on the defensive, preventing him from injuring me, rather than trying to injure him" (*My Bondage, My Freedom*, 283).
20. Douglass, *Narrative of the Life*, 64.
21. For a critical discussion of Douglass's use of resurrection language, see J. Kameron Carter, *Race: A Theological Account* (Oxford: Oxford University Press, 2008), 301–304.
22. Alexandre Kojève, *Introduction to the Reading of Hegel: Lectures on the Phenomenology of Spirit*, trans. James H. Nichols and ed. Alan Bloom. Jr. (Ithaca: Cornell University Press, 1980), 7.
23. G. W. F. Hegel, *Phenomenology of Spirit*, trans. A. V. Miller (Oxford: Oxford University Press, 1977), 115, paragraph 189.
24. Ibid., 115–16, paragraph 190.
25. Kojève, *Introduction to the Reading of Hegel*, 8.
26. Ibid. As Kojève explains, for Hegel "in his nascent state, man is never simply man. He is always, necessarily, and essentially, either Master or Slave. If the human reality can come into being only as a social reality, society is human—at least in its origin—only on the basis of its implying an element of Mastery and an element of Slavery, of 'autonomous' existences and 'dependent' existences" (ibid., 8–9). Man's temporal existence, his becoming, is "the history of the interaction between Mastery and Slavery: the historical 'dialectic' is the 'dialectic' of Master and Slave" (ibid., 9).
27. See also Kojève's commentary on the dialectical reversal benefiting the slave; ibid., 21.
28. Hegel, *Phenomenology of Spirit*, 117, paragraph 194.
29. Ibid. Kojève's discussion of the fixity of the master versus the flexibility of the slave is also helpful (*Introduction to the Reading of Hegel*, 22).
30. As we shall see in Kojeve's discussion, this implicit autonomous consciousness will be realized through labor.
31. Ibid.
32. Ibid., 118.
33. Ibid., 119.
34. Ibid., 118.
35. Kojève contrasts the slave's relation to the product of his labor with the master's consumption of it. The slave transforms the raw material and thus prepares it for the master's consumption, but he himself does not consume it (*Introduction to the Reading of Hegel*, 17).
36. Hegel, *Phenomenology of Spirit*, 119.
37. Kojève, *Introduction to the Reading of Hegel*, 17–18.
38. Ibid., 19.
39. Ibid.
40. Ibid., 20.

41. Douglass, *Narrative of the Life*, 65.
42. Ibid.
43. Ibid.
44. Ibid.
45. Ibid., 60.
46. I personally resonate with Dr. Martin Luther King Jr.'s strategy of nonviolent active resistance; however, if we take Douglass's account at face value, we must wrestle with his claims that at minimum some kind of physical struggle was a necessary component to his freedom. In addition, we must acknowledge the structural injustice and violence that constituted and maintained American chattel slavery before passing a hasty judgment about Douglass's act of self-defense.
47. Ibid., 65.
48. In fact, Douglass describes his first six months of Covey's work regime as one of the most difficult periods of his enslavement. "If at any one time of my life more than another, I was made to drink the bitterest dregs of slavery, that time was during the first six months of my stay with Mr. Covey. We were worked in all weathers. It was never too hot or too cold; it could never rain, blow, hail or snow, too hard for us to work in the field. Work, work, work, was scarcely more the order of the day than of the night" (ibid.).
49. Ibid., 65–6.
50. Although I am focusing on the actions of individuals and by extension groups, I do not mean to imply that individual intentional acts would by themselves be sufficient to reverse or bring down a complex social structure and deeply entrenched way of being. However, I am claiming that individual acts of resistance can and do play an important role in the process of bringing about sociopolitical change.
51. Douglass provides an insightful sociological analysis of Mrs. Auld's moral "fall," wherein he shows how her thinking became increasingly shaped by her social context—a context that rewarded her for treating slaves inhumanely. See, e.g., *Narrative of the Life*, 40. See also Gordon, "Douglass as an Existentialist," esp., 214–15. Gordon highlights how the "biblical existential motifs" become even more pronounced in Douglass's description of Mrs. Auld's "fall" in *My Bondage, My Freedom* (ibid., 214).
52. Douglass, *Narrative of the Life*, 37.
53. Ibid.
54. Ibid., 37–8.
55. For a similar yet emphatically existentialist reading of Douglass and the possibilities of literacy, see Gordon, "Douglass as an Existentialist," esp. 214–15.
56. *The Columbian Orator* was a textbook found in nearly every nineteenth-century American classroom. See, e.g., Granville Ganter, "'He Made Us Laugh Some,'" Frederick Douglass's Humor," *African American Review* 37 (2003), esp. 547–8. See also David W. Blight, *The Columbian Orator* (New York: New York University Press, 1998).
57. Douglass, *Narrative of the Life*, 42.

58. Ibid.
59. Ibid.
60. Ibid.
61. Ibid., 43.
62. Gordon, "Douglass as an Existentialist," 218. Gordon goes on to say, "Douglass recognized at a certain level his situation by learning to read and write. But what is more telling is the crucial moment when he fights for his self-respect in his encounter with the slave-breaker Edward Covey" (ibid.).
63. Michel Foucault, "The Subject and Power," *Critical Inquiry* 8 (1982), 780.
64. Michel Foucault, *History of Sexuality*, vol. 1: *An Introduction*, trans. Robert Hurley (New York: Vintage, 1990), 95. Cf., Yves Michaud, "Des modes de subjectivation aux techniques de soi: Foucault et les identités de notre temps," *Cités: Philosophie Politique Histoire* 2 (2000), esp. 15–18.
65. To review the differences between "relations of power" and "relations of violence," see my chapter devoted to Foucault.
66. Foucault, "The Subject and Power," 790.
67. Douglass, *Narrative of the Life*, 97. For a more detailed discussion of how Douglass's appendix—written by himself rather than a white man—is both a double act of resistance, see Cynthia R. Nielsen, "Resistance is Not Futile: Frederick Douglass on Panoptic Plantations and the Un-Making of Docile Bodies and Enslaved Souls," *Philosophy and Literature* 35:2 (2011), esp. 257–67.
68. Douglass, *Narrative of the Life,* 97.
69. Ibid., 97–8.
70. Foucault, *History of Sexuality*, vol. 1, 100.
71. Douglass, *Narrative of the Life*, 65.
72. For a helpful analysis of how nineteenth-century black males (and the majority of black females) accepted and helped to promote a patriarchal social order, see bell hooks, *Ain't I a Woman: Black Women and Feminism* (Boston: South End Press, 1981), 87–118. Hooks also argues that nineteenth-century black male social activists "supported the efforts of women to gain political rights but they did not support social equality between the sexes" (ibid., 91).
73. Richard Yarborough, "Race, Violence, Manhood: The Masculine Ideal in Frederick Douglass's 'The Herioic Slave'," in *Frederick Douglass: New Literary and History Essays,* ed. Eric J. Sundquist (Cambridge: Cambridge University Press, 1990), 168.
74. For a discussion of the many variations of William Wells Brown's novels *Clotel* and *Clotelle*, see ibid., esp. 169–79.
75. Ibid., 170.
76. Douglass, "The Heroic Slave," in *Three Classic African American Novels*, ed. William L. Andrews (New York: Signet, 1990), 66. See also Ivy G. Wilson, "On Native Ground: Transnationalism, Frederick Douglass, and 'The Heroic Slave,'" *PMLA* 121 (2006), 453–68. In addition to highlighting Douglass's strategic use of the Declaration of Independence and the principles of 1776 to win over his white audience, Wilson foregrounds the irony of the novella's ending, namely, the slaves do *not* find a home in the United States but remain in Nassau.

77. See also Sundquist, "Frederick Douglass: Literacy and Paternalism," in *Critical Essays on Frederick Douglass*, 120–132. In addition to his fascinating discussion of Douglass's self-fathering through various rebellious literary acts, Sundquist presents a compelling case for understanding Douglass's novella, "The Heroic Slave," as an important hermeneutical link between his first and second autobiographies.
78. Sundquist, "Frederick Douglass: Literacy and Paternalism," 124.
79. Yarborough, "Race, Violence, and Manhood," 179.
80. For a critique of the gender-difference perspective, see Joan C. Tronto, "Beyond Gender Difference to a Theory of Care," *Signs: Journal of Women in Culture and Society* 12 (1987), 644–63.
81. Kimberly Drake, "Rewriting the American Self: Race, Gender, and Identity in the Autobiographies of Frederick Douglass and Harriet Jacobs," *MELUS* 22 (1997), 94.
82. Ibid., 104.
83. Ibid.
84. See, e.g., Douglass, *Life and Times*, Chapter 18, esp. 900–907. Here Douglass publicly acknowledges the labors of those friends—black and white, male and female—who helped him along the way.
85. Douglass's at times strained relations with white female abolitionists, and his lack of direct advocacy for black female voting rights is too complex a topic to treat sufficiently here. For an excellent analysis of Douglass's work as a women's suffrage activist, see Gary L. Lemons's book, *Womanist Forefathers: Frederick Douglass and W.E.B. Du Bois* (Albany: State University of New York, 2009), esp. Chapter 2.
86. See, e.g., ibid., esp. Chapter 2. Lemons concludes that "despite Douglass's lifelong devotion to female liberation and ongoing battle for black independence, black female subjectivity is edited out of the text of black male feminist representation" (ibid., 24). On black male activists and sexism, see hooks, *Ain't I a Woman,* esp. Chapter 3, "The Imperialism of Patriarchy."
87. Douglass, *Life and Times*, 906.
88. Ibid., 907.
89. Ibid.
90. Douglass, however, at times reverts to gender essentialist notions of women in his attempts to place them in a positive, winsome light. See, e.g., *Life and Times*, 907–908.
91. See, e.g., hooks, *Ain't I a Woman,* esp. 89–94.
92. Douglass, "Woman Suffrage Movement" (1870), in *Frederick Douglass on Women's Rights*, ed. Philip S. Foner (New York: De Capo Press, 1992), 94.
93. Ibid.
94. For additional commentary on Douglass's view of natural rights and the Declaration of Independence, see Bill E. Lawson, "On a 'Plain Reading' of the United States Constitution," *The Journal of Ethics* 1 (1997), 292–5. Lawson shows how Douglass gradually came to see the Constitution as an antislavery document. This change came about through Douglass's study

of social and political philosophy, the Constitution, and the Declaration of Independence.

95. Douglass, "Woman Suffrage Movement," 94.
96. Ibid.
97. Lemons, *Womanist Forefathers*, 32. As hooks and other black feminists rightly observe, leading white female suffragists (such as Susan B. Anthony and Elizabeth Cady Stanton) descended into racist retorts when it became clear that black men would gain voting rights before white women. See, e.g., hooks, *Ain't I a Woman*, esp. Chapter 5, "Black Women and Feminism." See also Lemons, *Womanist Forefathers*, esp. 32–9.

4 Fanon on Decolonizing Colonized Subjectivities and the Quest for an Historically Attuned Symphonic Humanism

This chapter is a modified and significantly expanded version of my article "Resistance through Re-Narration: Fanon on De-constructing Racialized Subjectivities," *African Identities: Journal of Economics, Culture, and Society* 9:4 (December 2011), 363–85. DOI:10.1080/14725843.2011.614410. You may access this article at the following website: www.tandfonline.com.

1. David Scott, *Refashioning Futures: Criticism after Postcoloniality* (Princeton: Princeton University Press, 1999), 201.
2. Ibid.
3. Ibid.
4. Ibid.
5. Pal Ahluwalia, *Out of Africa: Post-structuralism's Colonial Roots* (New York: Routledge, 2010), 55.
6. Ibid.
7. Ibid.
8. Ibid.
9. Ibid.
10. Ibid.
11. Ibid., 56. Ahluwalia's text *Out of Africa* stresses the significance of understanding not only Fanon, but Sartre, Camus, Derrida, Cixous, and a host of other "border intellectuals" in relation to their Algerian ties, both literal and metaphorical.
12. Fanon published his letter of resignation in his work *Toward the African Revolution*, trans. Haakon Chavalier (New York: Grove Press, 1969). Here are a few relevant excerpts: "Madness is one of the means man has of losing his freedom. And I can say, on the basis of what I have been able to observe from this point of vantage, that the degree of alienation of the inhabitants of this country appears to me frightening. If psychiatry is the medical technique that aims to enable man no longer to be a stranger to his environment, I owe it to myself to affirm that the Arab, permanently an alien in

his own country, lives in a state of absolute depersonalization. What is the status of Algeria? A systematized de-humanization. It was an absurd gamble to undertake at whatever cost, to bring into existence a certain number of values, when the lawlessness, the inequality, the multi-daily murder of man were raised to the status of legislative principles. The social structure existing in Algeria was hostile to any attempt to put the individual back where he belonged" (ibid., 53).

13. Ibid., 65.
14. Ahluwalia, *Out of Africa*, 56. See also Robert Young, *Postcolonialism: An Historical Introduction* (Oxford: Blackwell, 2001). As Young explains, although Fanon "took no part in the FLN military campaigns, apart from organizing a new supply route through Mali in 1960," he did "play a significant part in the international political campaigns which the FLN, more than the French themselves, realized was of almost equal significance to the physical struggle" (ibid., 277).
15. Ahluwalia, *Out of Africa*, 57. For a quite different reading of Fanon's identification with Algeria, see Albert Memmi, "La vie impossible de Frantz Fanon," *Esprit* 39 (1971), 248–73. Memmi interprets Fanon's association and attempt to become Algerian as part of his failure to accept and to return to his West Indian roots. "Son vrai problème en vérité n'était ni comment être français ni comment être algérien, mais comment être antillais" (272) (In reality, his true problem was neither how to be French, nor how to be Algerian, but rather how to be Antillean [my translation]).
16. Memmi likewise comments on Fanon's homelessness. However, once again, Memmi's reading focuses on what he understands as Fanon's psychological motivations for his actions. According to Memmi, once Fanon decided that he could be neither French nor West Indian, he sought solidarity with the Algerian struggle for liberation. However, when the Algerian movement became too nationalistic for Fanon, he had nothing left but to postulate the vision of a new, universal humanity. As Memmi puts it, "Pour achever cette fuite en avant, pour résoudre son drame, que lui restait-il, sinon de proposer un homme totalement inédit, dans un monde totalement reconstruit?" ("La vie impossible de Frantz Fanon," 248) (In order to complete this leap forward to resolve his personal drama, what was left for him, if not to propose an utterly new human being, in an utterly reconstructed world? [my translation]).
17. Abdul JanMohamed, "Worldliness-without-World, Homelessness-as-Home: Toward a Definition of the Specular Border Intellectual," in *Edward Said: A Critical Reader*, ed. Michael Sprinker (Oxford: Blackwell, 1992), 97.
18. Ibid.
19. Ibid. JanMohamed lists W. E. B. du Bois, Richard Wright, and Zora Neale Hurston as examples of specular intellectuals and playwright Wole Soyinka and novelists Salman Rushdie and Anton Shammas as examples of syncretic intellectuals (ibid.).
20. Ahluwalia, *Out of Africa*, 41.

21. Ibid., 54. See also Nigel C. Gibson, *Fanon: The Postcolonial Imagination* (Cambridge: Polity Press, 2003). Gibson argues, on the one hand, "Fanon contested the European liberal humanist view of the *subject*"; on the other hand, unlike many postmodern thinkers, Fanon "did not abandon the concept of the subject nor that of subjugated knowledge" (ibid., 7). My conclusions align with Gibson's on this point.
22. Fanon, *Black Skin, White Masks*, 89.
23. Ibid., 90.
24. Ibid., 91. The French text reads "*tiens un nègre*," which can also be translated as "Look! A Nigger." Perhaps various English translations have presented a kinder, gentler version, thus concealing the "sting" produced by the child's repeated utterance. I have focused my analysis on Fanon's critical engagement with Merleau-Ponty; however, Fanon is also throughout this chapter engaged in critical dialogue with Jean-Paul Sartre. For a detailed explanation of the ways in which Fanon takes up Sartrean concepts and schematics for his own purposes, see Ato Sekyi-Otu, *Fanon's Dialectic of Experience* (Cambridge: Harvard University Press, 1996), esp. 65–72.
25. Fanon, *Black Skin, White Masks*, 91. See also Bart van Leewan, "To What Extent Is Racism a Magical Transformation? An Existential-Phenomenological Perspective on Racism and Anti-Racism," *Journal of Social Philosophy* 38 (2007), 296 ff. Van Leewan discusses the "gaze" from the perspective of the racist in order to give an account of the motivational structure of racism. In addition, van Leeuwen's essay offers several practical antiracism strategies (see esp., 303–305).
26. Fanon, *Black Skin, White Masks*, 92.
27. See Maurice Merleau-Ponty, *Phenomenology of Perception*, trans. Colin Smith (London: Routledge, 1962).On Merleau-Ponty's account, "there is no inner man, man is in the world, and only in the world does he know himself" (xii).
28. The body, rather than an object for an "I think" to grasp, "is a grouping of lived-through meanings which moves toward its equilibrium" (ibid., 177).
29. Ibid., 94.
30. For Merleau-Ponty's description of how our body inhabits the world and how our bodily experience of movement "provides us with a way of access to the world and the object," see *Phenomenology of Perception*, 162.
31. Ibid., x, xi–xii.
32. Ibid., 327.
33. For Merleau-Ponty's discussion of sensations belonging to certain fields, see ibid., 351.
34. Ibid., 292–3.
35. Taylor Carman, "Sensation, Judgment, and the Phenomenal Field," in *The Cambridge Companion to Merleau-Ponty*, ed. Taylor Carman and Mark B. N. Hansen (Cambridge: Cambridge University Press, 2004), 71.
36. Ibid., 69–70.

37. Fanon describes with ironic overtones Merleau-Ponty's account as follows: "A slow construction of my self as a body in a spatial and temporal world seems to be the schema. It is not imposed on me; it is rather a definitive structuring of my self and the world" (*Black Skin, White Masks*, 91).
38. Jeremy Weate, "Fanon, Merleau-Ponty and the Difference of Phenomenology," in *Race*, ed. Robert Bernasconi (Oxford: Blackwell, 2001), 172.
39. In Fanon's words, "Disoriented, incapable of confronting the Other, the white man, who had no scruples about imprisoning me, I transported myself on that particular day far, very far, from myself, and gave myself up as an object" (*Black Skin, White Masks*, 92). See also Memmi, "La vie impossible de Frantz Fanon." As Memmi explains, an oppressive racialized relation, such as the slave/master or colonized/colonizer relationship, "réclame que le Noir renonce a lui-même comme Noir. [...] l'un des résultants de cet effort contre nature est, à côté de la guerre menée par le Blanc contre le Noir, une guerre livrée par le Noir a lui-même, conséquence de la première, et peut-être plus destructrice encore, car elle est entreprise de l'intérieur et sans répit" (252–3) (demands that the Black renounce himself as Black. [...] one of the results of this straining against nature is—next to the war waged by the White against the Black—a war, which is a consequence of the first, fought by the Black against himself. This second war is perhaps more destructive than the first, because it is undertaken internally and continues relentlessly" [my translation]).
40. See also van Leewan's discussion of bell hooks's phrase "the white control of the black gaze," in "Racist Variations of Bad Faith: A Critical Study of Lewis Gordon's Phenomenology of Racism," *Social Theory and Practice* 34 (2008), 58.
41. Of course, the asymmetry in view here applies to black women as well. Some feminist scholars such as Marie-Aimée Helie-Lucas ("Women, Nationalism, and Religion in the Algerian Liberation Struggle," in *Rethinking Fanon: The Continuing Dialogue*, ed. Nigel C. Gibson [Amherst: Humanity Books, 1999], 271–82) and Diana Fuss ("Interior Colonies: Frantz Fanon and the Politics of Identification," in Gibson, *Rethinking Fanon*, 283–93) have criticized Fanon, claiming that his account of freedom fails to address adequately gender differences or worse that his work exhibits misogynistic tendencies. For an excellent critical essay arguing that Fanon exhibits a "feminist consciousness," see T. Denean Sharpley-Whiting, "Fanon's Feminist Consciousness and Algerian Women's Liberation: Colonialism, Nationalism, and Fundamentalism," in Gibson, *Rethinking Fanon*, 329–53.
42. As to my personal position on race, I situate myself within the racial constructionism camp, which denies any form of biobehavioral racial essentialism yet considers race an important social reality worthy of our discourse, study, and continued reflection. For a helpful discussion of three dominant positions on race in contemporary race theory, see Ron Mallon, "'Race': Normative, Not Metaphysical or Semantic," *Ethics* 116 (2006), 525–51. In addition, see Daniel Blackburn, "Why Race Is Not a Biological Concept," in *Race and*

Racism in Theory and Practice, ed. Berel Lang (Lanham, MD: Rowman & Littlefield, 2000), 3–26.

43. On the movement and interpretation of Fanon's schemata, I concur with Weate's analysis, which characterizes the racial epidermal schema as "a later stage in psychosomatic disintegration and alienation ("Fanon, Merleau-Ponty and the Difference of Phenomenology," 174). Weate goes on to discuss the movement to the epidermal schema as Fanon's attempt to trace a "genealogy of racial essentialism" (173).
44. By the phrase "white gaze," I have in mind the white mythological narrative as manifest in the cultural consciousness and systematically expressed (both consciously and unconsciously) in the cultural institutions, practices, and ethos of a given society.
45. Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage, 1995), 200. Although Foucault has been criticized for "gender blindness," and, as Ahluwalia puts it, paraphrasing a criticism by postcolonial scholar Robert Young, for a seemingly "calculated absence of the colonial world in his work," Ahluwalia argues that Foucault's time in Tunisia and the distance it provided for critical reflection on French culture, as well as his engagement with the Iranian Revolution affected Foucault's project profoundly, compelling him to speak and write in a more explicitly ethicopolitical key. See, e.g., Ahluwalia, *Out of Africa*, esp. 145–53.
46. See, e.g., Fanon's critique of Mannoni in Chapter 4 of *Black Skin, White Masks.* Contra Mannoni's claims, Fanon draws attention to the fact that the very "structure of South Africa is a racist structure" (68). David Scott describes Fanon's account of the all-pervasiveness of colonial power in the latter's book *The Wretched of the Earth* as "constitut[ing] a total regime of systemic and systematic brutality, occupying simultaneously physical and psychological space, inscribing its effects in the very organization of desire of the colonized. It is a form of power, that is, moreover, resistant to reason, and therefore to negotiation" (*Refashioning Futures*, 203).
47. Foucault, *Discipline and Punish*, 202.
48. Fanon, *Black Skin, White Masks*, 95.
49. Ibid., 93.
50. See also Gibson, *Fanon: The Postcolonial Imagination*, Chapters 1 and 2. As Gibson observes, "Colonial thought, from travel literature of the nineteenth century to administrative and psychological services of the twentieth, was built on Enlightenment categories embellished by imperial scientism" (6).
51. Immanuel Kant, "Idea for a Universal History with a Cosmopolitan Aim (1784)," in *Anthropology, History and Education*, trans. Allen W. Wood and ed. Günter Zöller and Robert Louden (Cambridge: Cambridge University Press, 2008), 118.
52. Robert Bernasconi has devoted several essays to the study of Hegel and his Eurocentrism. See, e.g., Robert Bernasconi, "With What Must the Philosophy of World History Begin? On the Racial Bias of Hegel's Eurocentrism," *Nineteenth-Century Contexts* 22 (2000), 171–201; and "Hegel at the Court of

the Ashanti," in *Hegel after Derrida*, ed. Stuart Barnett (London: Routledge, 1998), 41–63.

53. Fanon, *Black Skin, White Masks*, 93.
54. See Weate, "Fanon, Merleau-Ponty and the Difference of Phenomenology," 176. See also Fanon, *Black Skin, White Masks*, 92.
55. Foucault, *Discipline and Punish*, 203.
56. Fanon, *Black Skin, White Masks*, 92.
57. Ibid., 204. Fanon goes on to say, "The density of History determines none of my acts. I am my own foundation. And it is by going beyond the historical and instrumental given that I initiate my cycle of freedom" (205). See also Kelly Oliver, *Colonization of Psychic Space: A Psychoanalytic Social Theory of Oppression* (Minneapolis: University of Minnesota Press, 2004). One of Oliver's key insights is her observation that the "originary alienation" of the modern privileged subject as presented by several European philosophers and theorists must be distinguished from the "debilitating alienation" of the colonized subject. Fanon, as Oliver notes, was acutely aware of this distinction. I agree with Oliver that debilitating alienation undermines and constrains severely the colonized's agency; however, it does not distinguish agency completely. If the latter were the case, there would be no genuine possibility for resistance and renarration.
58. Ahluwalia, *Out of Africa*, 58.
59. Reiland Rabaka, *Africana Critical Theory: Reconstructing the Black Radical Tradition from W. E. B. Du Bois and C. L. R. James to Frantz Fanon and Amilcar Cabral* (Landam: Lexington Books, 2009), 119. See also Pierre Bouvier, "Aimé Césaire, la négritude et l'ouverture poétique," *Esprit* 346 (2008), 15–28. Among other things, Bouvier recounts Césaire's formative student years in Paris and his initial meeting and subsequent friendship with Léopold Sédar Senghor.
60. See Rabaka, *Africana Critical Theory*, Chapter 4, "Aimé Césaire and Leopold Senghor: Revolutionary Negritude and Radical New Negroes." For a fascinating discussion of how Césaire and Senghor employ W. E. B. Du Bois's notion of "double-consciousness" as their launching point for Negritude, see Sandra Adell, *Double-Consciousness/Double Bind: Theoretical Issues in Twentieth-Century Black Literature* (Chicago: University of Illinois Press, 1994).
61. Rabaka, *Africana Critical Theory*, 160. Cf. Robert Bernasconi, "The Assumption of Négritude: Aimé Césaire, Frantz Fanon, and the Vicious Circle of Radial Politics," *parallax* 8 (2002), esp. 71, 79–80. Bernasconi reads Senghor as promoting an essentialist view of black identity and an overly past-centered position, or as Bernasconi puts it, a "poetry of the past relying on memories and an expression that surpasses the content" (80).
62. Rabaka, *Africana Critical Theory*, 160.
63. Ibid. For a detailed analysis of Sartre's appropriation of and departure from Hegelian philosophy, particularly with respect to Hegel's notion of reciprocity, see Sekyi-Otu, *Fanon's Dialectic of Experience*, esp. 62–72.

64. Rabaka makes a similar claim when he says, "Negritude, like Du Bois and James's Pan-African Marxism and, as we shall soon see, Fanon's discourse on decolonization, was ultimately concerned with the greater good [...] of humanity—that is, it was profoundly, nay radically, humanistic. In this sense [...] it contributes and helps to highlight another important theme of the discourse of Africana critical theory: its revolutionary humanism, its deep and abiding concern [...for] to use Fanon's phrase, [...] suffering humanity as a whole" (*Africana Critical Theory*, 160–1).
65. Ibid., 119–20.
66. Ibid., 120.
67. Aimé Césaire, *Discourse on Colonialism*, trans. Joan Pinkham (New York: Monthly Review Press, 2000), 88.
68. Ibid., 89.
69. Ibid.
70. Ibid., 91.
71. Ibid.
72. Ibid., 92.
73. Rabaka, *Africana Critical Theory*, 121.
74. Césaire, *Discourse on Colonialism*, 92.
75. Ibid., 83.
76. Ibid.
77. Ibid. Césaire goes on to explain his interests in the surrealist movement and how it became for him a way to "return" to Africa. Having described surrealism as a "weapon that exploded the French language," he then states that "[s]urrealism interested me to the extent that it was a liberating factor. [...] I said to myself: it's true that superficially we are French, we bear the marks of French customs; we have been branded by Cartesian philosophy, by French rhetoric; but if we break with all that, if we plumb the depths, then what we will find is fundamentally black" (83–4). Given my reading of Césaire, one need not interpret his comment here as an affirmation of a rigid essentialism. See also Jean-Paul Sartre's comments in "Orphée Noir," where he makes several poignant observations regarding the different aims of the Eurpoean surrealist poets and the Négritude poets. Having just noted that "[f]rom Mallarmé to the Surrealists," the goal of French poetry seems to have been the "self-destruction of language" (*autodestruction du langage*), Sartre goes on to say that the Negritude poets "answer the colonist's ruse by a similar but reverse ruse: because the oppressor is present even in the language they speak, they speak that language in order to destroy it [*pour la détruire*]. The contemporary European poet attempts to dehumanize words in order to return them to nature; the black herald intends to de-Frenchify [*défranciser*] them; he will crush them, he will break their customary associations, he will join them violently" ("Orphée Noir," in *Anthologie de la nouvelle poésie nègre et malgache de langue française*, ed. Leopold Sedar Senghor [Paris: Presses Universitaires de France, 1948], xx, my translation).
78. Césaire, *Discourse on Colonialism*, 31.

79. Ibid., 32.
80. Ibid., 31.
81. Ibid.
82. Rabaka, *Africana Critical Theory*, 122.
83. Of the capitalism of his day, Césaire writes, "[C]apitalist society, at its present stage, is incapable of establishing a concept of the rights of all men, just as it has proved incapable of establishing a system of individual ethics" (*Discourse on Colonialism*, 37).
84. Ibid., 85.
85. Ibid., 86.
86. Ibid., 41.
87. Ibid. Frederick Douglass makes a similar observation regarding the social degradation that occurs in a slave society. For example, Douglass describes how his master's wife, Mrs. Auld, who at first treated Douglass with compassion, eventually becomes socially habituated to see him as a slave, i.e., as nothing more than property to be used to further the goals of white society. (See, e.g., Frederick Douglass, *Narrative of the Life of Frederick Douglass, an American Slave, in Douglass: Autobiographies: Narrative of the Life of Frederick Douglass, an American Slave, My Bondage and My Freedom, Life and Times of Frederick Douglass*, ed. Henry Louis Gates Jr. (New York: Library of America, 1994), 40.
88. Césaire, in fact, claims that Nazism came about as a result of the "boomerang effect." Employing his linguistic whip, Césaire unleashes a series of verbal strikes calculated to leave their marks on Europe's back and perhaps reawaken its anesthetized conscience. "First we must study how colonization works to *decivilize* the colonizer, to *brutalize* him in the true sense of the word, [...] a gangrene sets in, a center of infection begins to spread; and that at the end of all these treaties that have been violated, all these lies that have been propagated, all these punitive expeditions that have been tolerated, all these prisoners who have been tied up and 'interrogated,' all these patriots that have been tortured, at the end of all the racial pride that has been encouraged, all the boastfulness that has been displayed, a poison has been distilled into the veins of Europe and, slowly but surely, the continent proceeds toward *savagery*. And then one fine day the bourgeoisie is awakened by a terrific boomerang effect: the gestapos are busy, the prisons fill up, the torturers standing around the racks invent, refine, discuss. People are surprised, [...] they wait, and they hope; and they hide the truth from themselves, that it is barbarism, [...] the crowning barbarism that sums up all the daily barbarisms; that it is Nazism, yes, but that before they were its victims, they were its accomplices; that they tolerated that Nazism before it was inflicted on them, that they absolved it, shut their eyes to it, legitimated it, because until then, it had been applied only to non-European peoples; [...] they have cultivated Nazism, [...] they are responsible for it" (*Discourse on Colonialism*, 35–6).
89. Ibid., 89.
90. Rabaka, *Africana Critical Theory*, 126.
91. Ibid., 127.

92. Ibid., 128.
93. Although my interpretation of Césaire and Fanon differs at times with Bernasconi's, we both agree that Fanon throughout his work continues to draw from those aspects of Césaire's work that open a space for a black future rather than a frozen black past. See, e.g., Robert Bernasconi, "The Assumption of Negritude: Aimé Césaire, Frantz Fanon, and the Vicious Circle of Radial Politics," *parallax* 8 (2002), 69–83.
94. See, e.g., Pierre Bouvier, *Aimé Césaire/Frantz Fanon. Portraits de decolonizes* (Paris: Les Belles Lettres, 2010), esp. 146–50. Among other things, Bouvier discusses Fanon's complex understanding of the role of violence in the process of decolonization, noting how Fanon draws upon Césairean-inspired images and metaphors as he develops his own distinctive "radical" project.
95. See Rabaka's discussion on Fanon's pan-Africanism (*Africana Critical Theory*, esp. 167–8).
96. Ibid., 171.
97. See, e.g., Sartre, "Orphée Noir," dans Anthologie de la nouvelle poésie nègre et malgache de langue française, esp. xli. In addition to his claim that Négritude is a "weak stage" (*le temps faible*), an antithesis in the dialectic of which "white supremacy is the thesis" (*la suprématie du blanc est la these*) and that which "exists for its own destruction" (*est pour se détruire*), Sartre also claims that Négritude is intended as a preparatory stage for the ultimate synthesis, namely, the "realization of humanity in a society without races" (*réalisation de l'humain dans une société sans races*) (ibid.). As Rabaka points out, particularly with respect to the idea of a postracial society, Sartrean Négritude is at odds with both Césaire and Senghor's articulations of Négritude. See, e.g., Rabaka, *Africana Critical Theory*, Chapter 4, "Aimé Césaire and Leopold Senghor: Revolutionary Negritude and Radical New Negroes," esp. 112–19. Rabaka also underscores how Sartre and the (white) Marxists generally speaking have failed to see the connection between capitalism and colonialism and capitalism and racism, whereas Césaire and other black radicals, having lived an exploited existence, refuse to make colonialism and racism secondary issues (ibid., see esp. 116–19).
98. Memmi, "La vie impossible de Frantz Fanon," 255. Regarding Sartre's influence on Fanon, Memmi writes: "[Sartre] déclarant que la négritude n'est jamais que le temps faible dans la dialectique de libération du Noir. Fanon a fortement été impressionné par Sartre, jusqu'a la fin de sa vie, [. . .] Et lorsque, dan Orphée noir, Sartre a tente de réduire la négritude a sa négativité [. . .] Fanon en a été bouleverse; il a eu le sentiment d'avoir été expulse de lui-même. Il a ce sentiment, il est bouleverse, mais il accepte les conclusions de Sartre" (ibid.) ([Sartre] declared that Négritude was nothing but the weak stage in the dialectic of Black liberation. To the very end of his life, Fanon was greatly impressed by Sartre, [. . .] And when, in "Black Orpheus," Sartre attempted to reduce Negritude to its negativity [. . .] Fanon was shattered; he has the experience of having been expelled from himself. He has this experience; he is shattered, yet he accepts Sartre's conclusions [my translation]).

99. Ironically, aspects of Memmi's critique of Sartre, on my reading of Fanon, are harmonious with Fanon's own position on Sartre. For example, Memmi states that even if one concedes Sartre's point about Négritude as a negative phase in the dialectic, one must still understand the historical and embodied significance of this phase. The existential process of black people forging their own identity invests this negative stage with a positivity overlooked by Sartre. "'[S]il est permis de penser avec Sartre que la négritude [. . .] est un temps faible, et même relativement négative, ce temps-la, il faut bien le vivre, avant de passer au suivant; et du fait qu'il est vécu, il acquiert son poids, très lourd, de positivité. L'erreur de Sartre, toujours la même, est de ne pas assez voir que même la négativité, le malheur, vécus, deviennent en quelque manière chair et sang, en somme positivité" (ibid., 256) (If it is permissible to think with Sartre that Négritude [. . .] is a weak stage, and even relatively negative, nonetheless, that phase must be lived through in reality before passing to the next; and from the fact that it was experienced, it gains an enormously profound weight of positivity. Sartre's error—always the same—was having failed to see that even negativity and misfortune when experienced in real life, in some way become flesh and blood, in short, positivity [my translation]). See also Bouvier, *Aimé Césaire/Frantz Fanon*. Bouvier likewise captures some of the ambivalence of Fanon's relation to Sartre's thought. For example, as Bouvier observes, on the one hand, "Sartre's thinking nourished Fanon in his most existential vein," particularly with respect to Sartre's emphasis on human freedom; however, on the other hand, Sartre's critique of Négritude, at least initially, left Fanon in an existential paralysis of sorts (90; my translation).

100. Fanon, *Black Skin, White Masks*, 117. Fanon makes similar remarks earlier in the chapter. For example, before quoting a long paragraph from "Orphée Noir," where Sartre elucidated his view of Négritude as a weak stage that must self-destruct, Fanon writes, "I wanted to be typically black—that was out of the question. I wanted to be white—that was a joke. And when I tried to claim my negritude intellectually as a concept, they snatched it away from me. [. . .] We had appealed to a friend of the colored peoples, and this friend had found nothing better to do than demonstrate the relativity of their action" (ibid., 111, 112). For a more detailed discussion of the tense yet fecund relationship between Fanon and Sartre, as well as their theoretical and sociopolitical similarities and differences regarding decolonization, see Bennetta Jules-Rosette, "Jean-Paul Sartre and the Philosophy of Négritude: Race, Self, and Society," *Theory and Society* 36 (2007), esp., 276–81.

101. See, e.g., Gayatri Chakravorty Spivak, *In Other Worlds: Essays in Cultural Politics* (New York: Routledge, 2006), 5. Cf. Memmi, "La vie impossible de Frantz Fanon." Memmi's assessment of Fanon's relation to Négritude is cast in a mostly negative light and for the most part does not seem to allow for the possibility of Fanon coming to understand the movement along the strategic lines I have outlined in this chapter. According to Memmi, after first showing great excitement about Césaire's project, Fanon became an ardent critic of the movement. "Il affirme qu la négritude est une fausse solution; après *l'erreur*

blanche, il faut se garder de céder au *mirage noir*. Et le voici à tirer à boulets rouges sur la négritude, dont on trouve dans son oeuvre la condamnation la plus radicale" (254) (He affirmed that Négritude was a false solution; after the *white error*, one should beware of succumbing to a *black mirage*. Thereupon, he lays into Négritude, condemning it in the most radical way in his work [my translation]).

102. One aspect of this historically attuned humanism is manifest in an acute concern for and solidarity with the oppressed. Given the ways in which, under the banner of various "humanisms," so many "others" have been exploited, enslaved, and slaughtered, such concerns and sensitivities regarding the violent subjugation of one group by another are crucial for the redemption of humanism and its ongoing transformation into what I have called its "symphonic variation."
103. See also Gibson, *Fanon: The Postcolonial Imagination*. According to Gibson, "For Fanon, active resistance was the first stage toward self-discovery, and he was well aware that in its early stages anticolonial action was an inversion of colonial Manicheanism and remained within its framework" (13).
104. Scott, *Refashioning Futures*, 205.
105. See Foucault, *The History of Sexuality*, vol. 1, esp. 17–49.
106. Foucault, "The Ethics of the Concern for Self as a Practice of Freedom," in *The Essential Works of Foucault, 1954–1984,* Volume 1*: Ethics: Subjectivity, and Truth*, ed. Paul Rabinow (New York: The New Press, 2001), 282.
107. Ibid., 282.
108. Scott, *Refashioning Futures*, 204.
109. Ibid., 206.
110. Ibid.
111. Ibid.
112. Even so, as I have argued throughout my chapters, Foucault's account of power relations, resistance tactics, and self-construction *presupposes* at least some common, universal, transhistorical capacities, namely, rational or cognitive and volitional capacities.
113. Ahluwalia, *Out of Africa*, 62.
114. As Fanon puts it, "I was committed to myself and my fellow man, to fight with all my life and all my strength so that never again would people be enslaved on this earth" (*Black Skin, White Masks*, 202). As was the case with Douglass, one might similarly highlight passages in Fanon's texts where he employs culturally masculinist tropes to describe his own struggle to break free from colonial bondage. For criticisms along these lines, see Kelly Oliver, *Colonization of Psychic Space: A Psychoanalytic Social Theory of Oppression* (Minneapolis: University of Minnesota Press, 2004), esp. 36–43. See also Marie-Aimée Helie-Lucas, "Women, Nationalism, and Religion in the Algerian Liberation Struggle," in Gibson, *Rethinking Fanon*, 271–82.
115. Contra claims by critics such as the notable Hannah Arendt that Fanon makes violence an end in itself, David Macey contends that "[t]he violence Fanon evokes is instrumental and he never dwells or gloats on its effects.

[...] The ALN was fighting a war and armies are not normally called upon to justify their violence" (*Frantz Fanon: A Biography* [New York: Picador, 2002], 475). For a similar argument against Arendt's conclusion, see Young, *Postcolonialism*, 281. Gibson likewise argues against the now common view of Fanon as an apostle of violence. See, e.g., Gibson, *Fanon: The Postcolonial Imagination*, esp. 103–26. In Chapter 4 of his book *Fanon and the Crisis of European Man: An Essay on Philosophy and the Human Sciences* (New York: Routledge, 1995), Lewis Gordon has an interesting discussion of Fanon's theory of violence in which he elaborates at length, given the tragic character of colonialism, "the role of tragedy as a dramatic resource and anthropological signifier" (70). Gordon does not, however, view Fanon's conclusions on violence "to be the center of [Fanon's] philosophical concerns" (68). See also Jules-Rosette, "Jean-Paul Sartre and the Philosophy of Négritude: Race, Self, and Society." Jules-Rosette discusses Fanon and Sartre's position on the use of violence and reaches the following conclusion: "Both Sartre and Fanon agree that any form of violence, from torture to resistance, should ultimately be deemed unnecessary in a just society. Because both Sartre and Fanon circled around the question of violence in so many ways, contradictions in what they said emerge, but the overall message in both cases contains cautionary statements as well as graphic descriptions of the negative consequences of the use of violence on all sides of political conflicts and struggles" (277). For a defense of Fanon's theory of violence as "self-defensive anticolonial violence," see Rabaka, *Africana Critical Theory*, 194–9.

116. Ahluwalia develops this analogy between colonialism and disease, relating it to Fanon's medical training and his strategy for decolonization. See, e.g., *Out of Africa*, 63–6.
117. As Fanon's writings attest, the Algerian struggle for liberation was no doubt his concrete working paradigm. See also Macey, *Frantz Fanon: A Biography*, esp. the chapter entitled "The Wretched of the Earth." Given the atrocities committed against the Algerian people, Macey draws attention to the appropriateness of Francis Jeason's book title, *L'Algérie hors la loi* (476).
118. Ibid., 64. For a critique of Fanon's reasoning for the alleged "necessary" moment of violent confrontation on the part of the colonized and an argument in favor of nonviolent forms of resistance in the tradition of Mahatma Gandhi and Martin Luther King Jr., see Messay Kebede, "The Rehabilitation of Violence and the Violence of Rehabilitation: Fanon and Colonialism," *Journal of Black Studies* 31 (2001), esp., 554–62. As Kebede observes, "Violence has more to do with animality than humanity. The affirmation of the human by way of violence, which is the value of the colonizer, is what the colonized should strongly reject. Because colonizers are acting like beasts, there is no reason to aspire after their values. Instead, one must refuse to become beasts like them. [...] Viewed from this necessity of cleansing the colonized soul of the accumulated anger, Negritude's appeal to the particular essence of the Black soul appears as a protection against colonial contaminations, as an attempt to preserve a measure of human countenance in a world disfigured by violence" (559).

119. Macey catalogues several vivid examples of the long history of violence carried out by the French on the Algerian people. In 1845, for instance, there were three occasions in which civilians (including children) and freedom fighters were driven into caves. The French troops then lit large fires in the entranceways, causing the people inside to die from "asphyxiation and smoke inhalation" (*Frantz Fanon: A Biography*, 476).
120. Frantz Fanon, *The Wretched of the Earth*, trans. Richard Philcox (New York: Grove Press, 2004), 239. Many scholars, including Memmi (see "La vie impossible de Frantz Fanon"), have criticized Fanon's involvement with the Algerian revolution, claiming among other things that Fanon could not possibly authentically identify with Algerians since he was neither Algerian nor Muslim. Against a second critical claim that in the case of Algerian colonization Fanon's crucial notion of *l'expérience vécue* (lived experience) fails to yield the analytical results desired "because the Algerian does not experience colonialism on the basis of corporeal identity," Gibson argues that "the importance of lived experience of the body-subject is not reducible [. . .] to an essential identity" (*Fanon: The Postcolonial Imagination*, 10). Gibson then adds that in his later work, *The Wretched of the Earth*, Fanon also expresses corporeal difference "spatially," analyzing the effects on the colonized of forced living in terrorized spaces (ibid.).
121. Foucault, "What is Enlightenment?" in *The Essential Works of Foucault, 1954–1984*, Volume 1: *Ethics: Subjectivity, and Truth*, ed. Paul Rabinow (New York: The New Press, 2001), 312.
122. Ibid.
123. Ibid., 313.
124. Ibid.
125. Ibid.
126. Ibid., 314.
127. Ibid.
128. Ibid., 318.
129. Ibid.
130. Ibid., 314
131. Ibid., 315.
132. Ibid.
133. Ibid.
134. Ibid.
135. Ibid., 316.
136. Ibid.
137. Ibid.
138. If we want to end on a consonant rather than dissonant note, we might point out that both Foucault and Fanon are critical of "Man," i.e., "Man" as sovereign subject and originator of all meaning; however, when we harmonize Fanon's critique with Foucault's, the particular "Man" in view just may turn out to be equivalent to white, European imperialist imposed qua norm. If so, then that particular subject construction is indeed worth putting to rest.

139. Fanon, *Black Skin, White Masks*, 206.
140. Ibid.
141. Fanon, *The Wretched of the Earth*, 238. Another passage highlighting this same begrudging acknowledgment of positive aspects of Europe is the following: "All the elements for a solution to the major problems of humanity existed at one time or another in European thought. But the Europeans did not act on the mission that was designated them" (237). Fanon, of course, continued to draw upon (not uncritically) the insights of Sartre, Hegel, Merleau-Ponty, and numerous other European thinkers. See also Young, *Postcolonialism*, 274–83, esp. 276. Differentiating Fanon from other Anglophone and Francophone Marxists, Young writes: "He [Fanon] always remained intellectually centered in Paris, and never resisted European thought as such, as much as he resisted European domination of the colonial world. A product of the western-educated elite, Fanon used the resources of western thought against itself" (276).
142. Fanon, *Toward the African Revolution*, 44. In the final chapter of *The Wretched of the Earth*, Fanon expresses similar sentiments: "[W]e do not want to catch up with anyone. But what we want is to walk in the company of man, every man, night and day, for all times. It is not a question of stringing the caravan out where groups are spaced so far apart they cannot see the one in front, and men who no longer recognize each other, meet less and less and talk to each other less and less. [. . .] if we want humanity to take one step forward, if we want to take it to another level than the one where Europe has placed it, then we must innovate, we must be pioneers" (238, 239).
143. Fanon, *The Wretched of the Earth*, 237, 238.
144. Ibid., 237, 236. As Young emphasizes, we must avoid flattening Fanon's complex, multilayered view of Europe, in particular the European intellectual tradition. Referencing Fanon's closing remarks in *The Wretched of the Earth* issuing a call to leave Europe behind, Young reminds us that "Fanon's own theoretical formulations remain European in orientation, above all towards Sartre," who "was one of the very few European philosophers and intellectuals who made the issue of colonialism central to his work" (*Postcolonialism*, 281).
145. In the following chapter, I shall provide a more detailed treatment of human rights and natural rights in the context of my elaboration of Dun Scotus's position. Here I simply foreshadow what is to come.
146. Many thanks to Peter Dillard for several helpful conversations on human rights as this chapter came to fruition.

5 Duns Scotus and Multidimensional Freedom

1. For a detailed discussion of the history of the concept of the will, see Hannah Arendt, *The Life of the Mind*, one volume edition (San Diego: Harcourt, Brace, 1978), 55–146.
2. Ibid., 63.

3. For a helpful introduction to Scotus's life in Oxford, Paris, Cambridge, and Cologne, see Antonie Vos, *The Philosophy of John Duns Scotus* (Edinburgh: Edinburgh University Press, 2006), 15–102.
4. Here the term "power should not be confused with colloquial meanings. For Scotus, power, in this context, is synonymous with capacity, potency, or faculty.
5. For a helpful discussion on the unstable harmonization of Greek and biblical notions of the divine, and the ways in which, for *theological* reasons, philosophers in the late medieval period challenged Aristotle's position, see Francis Oakley, *Natural Law, Laws of Nature, Natural Rights* (New York: Continuum, 2005). Oakley also analyzes how late medieval philosophers employed the two power distinction (*potentia dei absoluta et ordinata*) in their arguments for the contingency of creation and to counter all forms of Greek and other necessitarian views. *Potentia dei absoluta*, as Oakley observes, was understood not merely as a hypothetical power but as operational power (ibid., 56; for the extended discussion on this topic, see 55–60).
6. Given the interdisciplinary character of my study and the diverse readership to which it appeals, I cannot assume that my readers, who are, e.g., familiar with Foucault, will be equally conversant with Scotus. Thus, it is necessary that I provide a proper introductory framework to Scotus so that the Scotistic themes more directly relevant to my present purposes are clearly understood.
7. Unless indicated otherwise, all English citations of Scotus's text *Quaestiones super libros Metaphysicorum Aristotelis, Libri VI–IX*, eds. G. Etzkorn, R. Andrews, G. Gál, R. Green, F. Kelly, G. Marcil, T. Noone, and R. Wood. Opera Philosophica, 4 (St. Bonaventure, NY: The Franciscan Institute, 1997), 9.15, are from Wolter's translation in *Duns Scotus on the Will and Morality*, ed. William A. Frank and trans. Allan B. Wolter and William Frank (Washington, DC: The Catholic University of America Press, 1986); hereafter this text shall be abbreviated as *Will and Morality,* and Scotus's text as *QQ in Metaph.* 9.15 with the Latin edition in parentheses when applicable.
8. Wolter, *Will and Morality*, 141; Scotus, *QQ in Metaph.* 9.15.36 (OPh IV 684).
9. Wolter, *Will and Morality*; 141; Scotus, *QQ in Metaph.* 9.15.36 (OPh IV 685).
10. Allan B. Wolter, "Duns Scotus on the Will as Rational Potency," in *The Philosophical Theology of Duns Scotus*, ed. Marilyn McCord Adams (Ithaca: Cornell University Press, 1990), 163–80, 174.
11. Wolter, *Will and Morality*, 140; Scotus, *QQ in Metaph.* 9.15.30 (OPh IV 682–83). "Experitur enim qui vult se posse non velle, sive nolle."
12. Wolter, *Will and Morality*, 142; Scotus, *QQ in Metaph.* 9.15.42 (OPh IV 686).
13. According to Aristotle, an irrational power operates *alogos* and produces only one effect, whereas a rational power operates with *logos* and is capable of opposite effects. As an example of the former, Aristotle mentions heat, which produces the single effect, namely, heat in any object capable of being heated (Aristotle, *Metaph*. 9.2; 1046b19–20). As an example of the latter, Aristotle cites the art or science of medicine, which is capable of actualizing contrary effects, namely, health or disease (ibid., 1046b5–6).

14. See Stephen D. Dumont, "The Origin of Scotus's Theory of Synchronic Contingency," *The Modern Schoolman* 72 (1995), 149–67.
15. For further study on the topic, see John Duns Scotus, *Contingency and Freedom*, Lectura I.39, introduction, commentary, and trans. A. Vos et al. (The New Synthese Historical Library, 4. Dordrecht: Kluwer, 1994). In the collaborative introduction to this work, Vos and company provide a helpful commentary on Scotus's notion of synchronic contingency. As the authors emphasize, Scotus's development of the doctrine of synchronic contingency emerges, as his works evidence, "from a radical reflection on the experience of God's love, which is man's—and reality's—free source, and on the specifically Christian faith of God's Trinitarian character" (27–8). See also Dumont, "The Origin of Scotus's Theory of Synchronic Contingency."
16. Wolter, *Will and Morality*, 148; Scotus, *QQ in Metaph.* 9.15.65 (OPh IV 696).
17. Wolter, *Will and Morality*, 148; Scotus, *QQ in Metaph.* 9.15.65 (OPh IV 696).
18. Wolter, *Will and Morality*, 140; Scotus, *QQ in Metaph.* 9.15.31 (OPh IV 683).
19. Wolter, *Will and Morality*, 140–41; Scotus, *QQ in Metaph.* 9.15.32 (OPh IV 683).
20. Wolter, *Will and Morality*, 141; Scotus, *QQ in Metaph.* 9.15.32–4 (OPh IV 683–84).
21. As Wolter observes, "[God] has no need to be actuated from without; he himself determines what he shall produce. Here we have 'creativity' in its fullest form, and in God's will we have the ultimate basis of contingency in the world. Elsewhere Scotus explains in what sense the ability to act freely and contingently is a pure perfection [*Ordinatio* I, d. 38 and 39, n. 15 (Vat. ed. VI, 417)], but here too he stresses that freedom for opposites is itself a measure of unlimitedness that mirrors in some fashion (*quodammodo*) what God possesses purely and simply (*simpliciter*)" ("The Will as Rational Potency," 176).
22. Scotus's doctrine of superabundant sufficiency is intimately connected if not logically entailed by his understanding of God as an actual infinite. Just as for the Greeks the notion of indeterminacy as a lack was commonplace and more or less axiomatic, so too infinity was a sign of imperfection. Scotus, however, argues for a positive view of infinity, i.e., he presents a view of God as infinite not mathematically or quantitatively speaking, but intensively. For Scotus, the divide between God as infinite being and everything else as finite being involves a difference that cannot be measured by any determinate degree. Stated slightly differently, Scotus's God is not the supreme being, the greatest being (quantitatively speaking), or the best part of the whole that completes the system (as is the case with Aristotle's god). Rather, Scotus's understanding of God as infinite being in the present context highlights the fact that whether or not God creates neither his goodness nor his being is diminished. For Aristotle, such a claim would have been completely unintelligible. To employ Jean Luc Marion's terminology, Scotus's doctrine of superabundant sufficiency points to divine infinity and indeterminacy as excess, bedazzling the finite, human intellect.

23. Wolter, *Will and Morality*, 143; Scotus, *QQ in Metaph.* 9.15.44–4 (OPh IV 687–88).
24. In other words, Scotus's view allows for a genuine human contribution (in conjunction with divine assistance), requiring effort and training. That is, Scotus's view of human cooperation is perhaps analogous to the training in which a musician must engage in order to gain a level of mastery on her instrument. She does not simply become an excellent musician because she desires to be so. Rather, in addition to whatever natural talents she has been given, she must, nonetheless, practice scales, study music theory, sharpen her auditory skills, and so forth.
25. Calvin G. Normore, "Duns Scotus's Modal Theory," in *The Cambridge Companion to Duns Scotus*, ed. Thomas Williams (Cambridge: Cambridge University Press, 2003), 142.
26. Ibid., 144.
27. In *Ord*. prol., 1.1 (see esp. n. 1–4 and Scotus's replies at n. 57–65 and 90–94 [ed. Vat. I 1–4, 35–40, 54–8]), Scotus addresses the question "whether man in his present state needs to be supernaturally inspired with some knowledge he could not attain by the natural light of the intellect?" That is, what Scotus seeks to understand is whether in our present, nonglorified, *viator* state, we are in need of supernatural revelation or divine illumination, or whether the knowledge of which we are capable by means of natural reason suffices. After clarifying terms such as "natural," "supernatural," "neutral," and "violent acts," and masterfully weaving together several complex arguments, Scotus's conclusion to the opening question of the Prologue is something of a *sic et non* response. That is, with regard to the intellect's receptivity, Scotus argues that it is sufficient by nature to receive the divine essence (one must work carefully through Scotus's argument in order to understand precisely what he means here); however, with respect to the agency required to complete or perfect the requisite knowledge (Incarnation, Trinity, and other doctrines of the Christian faith), Scotus is emphatic that nature alone apart from divine, supernatural intervention is *radically* insufficient.
28. Wolter, *Will and Morality*, 276; Scotus, *Ord.* III, d. 27, a. 1, n. 14 (ed. Vat. X 52).
29. Wolter, *Will and Morality*, 277; Scotus, *Ord.* III, d. 27, a. 1, n. 15 (ed. Vat. X 53).
30. Allan B. Wolter, "Scotus's Ethics," in *Scotus and Ockham: Selected Essays* (St. Bonaventure, NY: The Franciscan Institute, 2003), 176. Scotus, like other medieval theologians, lectured on Lombard's *Sentences* I–IV with the ultimate goal of producing an *ordinatio*, which was a polished, published work, corresponding (to greater or lesser degrees) to Lombard's theological *loci*. Scotus's early departure from this life in 1308 precluded his completing the task. Nonetheless, what we refer to today as his *Ordinatio* I–IV consists of the edited drafts for what eventually would have been his final commentary on books I–IV of Lombard's *Sentences*. For a fascinating study on the role of Lombard's *Sentences* from the late medieval and into the early modern period, see Philipp W. Rosemann, *The Story of a Great Medieval Book: Peter Lombard's Sentences* (Orchard Park, NY: Broadview Press, 2007).

31. Wolter, "Scotus's Ethics," 176.
32. Wolter, *Will and Morality*, 277; Scotus, *Ord.* III, d. 27, a. 1, n. 15 (ed. Vat. X 53). *[E]t haec theologica, quia est circa obiectum theologicum, scilicet circa Deum immediate* (And this [virtue] is theological, since it is about a theological object, namely, about God directly" [my translation]).
33. Wolter, *Will and Morality*, Scotus, Ord. III, d. 27, a. 1, n. 15 (ed. Vat. X 53). *Nec hoc solum, sed etiam innititur immediate primae regulae humanorum actuum et infundi habet a Deo: haec enim nata est perficere supremam portionem animae, quae non perfectissime perficitur nisi immediate a Deo* (Not only this, but it [this theological virtue, charity] is also based directly on the first rule of human actions and had to be infused by God: for this is intended [nata] to perfect the highest portion of the soul, which cannot be brought to completion [perficitur] in the most perfect way except immediately by God [my translation]).
34. As many scholars have noted, Scotus's discussion of the dual affections has its roots in Anselm's analysis of the will. Scotus, however, modifies and transforms Anselm's categories significantly. For further study on Scotus's appropriation of Anselm, see, Stephen D. Dumont, "Did Scotus Change His Mind on the Will?" in *Nach der Verurteilung von 1277: Philosophie und Theologie an der Universität von Paris im letzten Viertel des 13. Jahrhunderts. Studien und Texte. Miscellanea Mediaevalia*, 28, ed. Jan A. Aertsen, Kent Emery Jr., and Andreas Speer (Berlin: De Gruyter, 2001), 719–94. See also Mary Elizabeth Ingham, "Self-Mastery and Rational Freedom: Duns Scotus's Contribution to the *Usus Pauper* Debate," *Franciscan Studies* 66 (2008), 337–69. In addition to discussing the Subtle Doctor's Anselmian and Aristotelian influences, Ingham attempts to show how "Scotus's work on the rational will in his various texts reveals his own attempt to link the Franciscan tradition on human freedom to *usus pauper* or restrained use" (340). In addition, Ingham explains how Scotus's position "modifies the traditional Anselmian categories of *commodi/iustitiae* and the two affections in the will to advance the particular Franciscan vision of the primacy of the will and its superiority over the intellect" (369). In light of the fact that Scotus's view of the will "makes its highest act one of self-restraint," the most complete perfection of rational freedom now moves "beyond the borders of Franciscan membership: *usus pauper*, the restrained use of the goods of the earth belongs to every rational will. The Franciscan vow of poverty, understood in this way, is perfective of all persons. Indeed, it belongs to the human vocation" (ibid.).
35. Wolter, *Will and Morality*, 156; Scotus, *Ord.* IV, d. 49, qq. 9–10 (Wolter's translation is based on his transcription of the authoritative Codex A; the critical edition for this text is not yet available).
36. Wolter, *Will and Morality*, Ibid.
37. Wolter, *Will and Morality*, 153; Scotus, *Ord.* III, d. 26, q. un., n. 110 (Vat. ed. X 35–6).
38. Wolter, *Will and Morality*, Ibid.

39. See also Allan B. Wolter, "Native Freedom of the Will as a Key to the Ethics of Scotus," in *The Philosophical Theology of Duns Scotus*, ed. Marilyn McCord Adams (Ithaca: Cornell University Press, 1990), esp. 152–7.
40. Thomas A. Shannon, "Method in Ethics: A Scotistic Contribution," *Theological Studies* 54 (1993), 277.
41. The *affectio commodi* is not, as Wolter explains, "something evil to be eradicated" ("Native Freedom of the Will," 153). Both affections are given by God and both are perfected via theologically infused virtues—charity perfects the affection for justice and hope perfects the affection for advantage. "What is needed is some counter inclination which frees man from the need to follow the *affectio commodi* exclusively and yet is in accord with right reason. [. . . Moreover,] since God has given each man this *affectio commodi*, to ignore our own perfection completely, if that were possible, or to give it no weight in our objective evaluation of things would be unjust. That is why, next to God, we ought to love ourselves more than others, all else being equal. This too is in keeping with right reason" (153).
42. Ibid., 152.
43. Ibid.
44. Ibid.
45. Examples of divine positive law include the dietary laws of the Old Testament. Interestingly, Scotus also places the command to keep the Sabbath holy in the category of divine positive law. Discussion of this category of laws is not germane to my project; hence, I have chosen to skip over it.
46. Scotus, *Ord.* III, d. 37, q. un., n. 16–17 (ed. Vat. X 279–80).
47. Mary Elizabeth Ingham, *The Harmony of Goodness: Mutuality and Moral Living according to John Duns Scotus* (Quincy: Franciscan Press, 1996), 52.
48. Ibid.
49. Ibid., 52–3.
50. Of course, there are many ways to respond to the issue of divine dispensations and the "hard cases," as it were, of Scripture such as God commanding Abraham to sacrifice Isaac. One such response in the Catholic tradition is to read passages of Scripture allegorically or typologically instead of literally when the latter reading seems to impugn God's character. Scotus, however, believes that the passages in question must be taken in their historical and literal sense, which is not necessarily to deny that the very same passages might also yield additional figurative senses.
51. Thomas Williams, "The Decalogue and the Natural Law," in *Philosophy in the Middle Ages: The Christian, Islamic, and Jewish Traditions*, eds. Arthur Hyman, James J. Walsh, and Thomas Williams (Indianapolis: Hackett, 2010), 603; Scotus, *Ord.* III, d. 37, q. un., n. 18 (ed. Vat. X 280). (This is the most recent English translation of *Ord.* III, d. 37, q. un.)
52. Ibid.
53. Ibid.; Scotus, *Ord.* III, d. 37, q. un., n. 20 (ed. Vat. X 280–81).
54. Ingham, *The Harmony of Goodness*, 53.
55. Ibid., 54.
56. Ibid.

57. Ibid., 55.
58. Ibid. Lest one get the impression that I am suggesting a crass voluntarism here, one should balance the aforementioned claim with Scotus's insistence that God always wills most rationally (*rationabilissime*). See, e.g., *Ord.* 3, d. 32, q. un, n. 21 (ed. Vat. X 136).
59. Ibid. See also Francis Kovach, essay six, "Divine and Human Beauty in Duns Scotus' Philosophy and Theology," in *Scholastic Challenges to Some Mediaeval and Modern Ideas* (Stillwater, OK: Western Publications, 1987), 91–110. Kovach makes a case for Scotus's bringing back the so-called lost transcendental beauty. According to Kovach, Scotus argues for the real identity of beauty and goodness, claiming only a formal distinction obtains between the two. Thus, beauty and goodness are coextensive with being and the other simple transcendentals.
60. See, e.g., *Nic. Ethics* 1.7.1098a10–18.
61. In footnote 18 Ingham states that "the *Index Thomisticus* reveals a ratio of health to art images at about three to one." Since "Aristotle himself favors the medical imagery," Thomas's own appropriation of the Stagirite's medical analogies is not surprising (*The Harmony of Goodness*, 56). For example, Aquinas repeatedly references Aristotle's discussion of health in the former's explication of analogy as a third way between univocity and equivocation. See, e.g., *ST* 1.13 a. 5. See also *Quaestiones disputatae de potentia Dei,* q. 6, a. 5, ad. 2. Aquinas likewise employs biological terminology in his explanation of the knowing process and its difficulties. See, e.g., his use of the terms "*concipio,*" "*conceptio,*" and "*propago*" in *SCG* 4.11 and *Quaestiones disputatae de potentia Dei*, q. 8, a. 1. Aquinas does, however, also use the term "*convenientia*" to describe his notion of analogy. See, e.g., *De veritate*, q. 2, a. 11. Trent Pomplun agrees with Ingham's assessment and argues that Scotus's corpus is saturated with artistic metaphors. See Pomplun, "Notes on Scotist Aesthetics in Light of Gilbert Narcisse's *Les Raisons de Dieu*," *Franciscan Studies* 66 (2008), 247–68.
62. Scotus likewise employs aesthetic terms in his descriptions of the unfolding, developmental nature of Scripture. For example, in *Ord.* I, prol., p. 2, q. un., n. 121 (ed. Vat. I 86), he writes: *Quod ordinates Scripturae progressus ostendit eius decorem*.
63. Ingham, *The Harmony of Goodness*, 57.
64. See Foucault's discussion of writing as an aspect of ancient "self-training" involving an "an *ethopoietic* function: it is an agent of the transformation of truth into *ēthos*" ("Self-Writing," in *The Essential Works of Foucault, 1954–1984*, vol. 1: *Ethics: Subjectivity, and Truth*, ed. Paul Rabinow [New York: The New Press, 2001], 209). Foucault analyzes the term *convenientia* in the opening chapter of his book *The Order of Things: An Archaeology of the Human Sciences* (New York: Vintage, 1994). He tends, however, to flatten the term to connote principally spatial metaphors. See ibid., 18–19.
65. I shall pick up the discussion of universal human rights shortly, explicating Scotus's contribution to the topic and reconnecting our previous dialogue partners' views on rights talk; here I simply mention the theme in passing.
66. Ingham, *The Harmony of Goodness,* 57.

67. On Scotus's view of the insufficiency of philosophy to direct human beings to true happiness, which is union with God, see Olivier Boulnois, *Duns Scot: la rigueur de la charité* (Paris: Cerf, 1998).
68. Ingham, *The Harmony of Goodness,* 57.
69. See Władysław Tatarkiewicz, "Did Aesthetics Progress?" *Philosophy and Phenomenological Research* 31 (1970), 47–59. Tatarkiewicz traces the medieval notion of *decorum* (the Latin translation of the Greek *to prepon*) to the classical theory in which one aspect of beauty was understood as the "appropriateness of things to their end" (48). Here beauty consists in aptness and suitability, and it was, for the Greeks, only a relative rather than an absolute beauty of proportion. To the Greek mind, mathematics broadly understood was considered a primary example of absolute beauty due to its precision and symmetry (ibid).
70. Scotus, *Ord.* I, d. 17, n. 62 (ed. Vat. V 163–64). My translation. The full Latin text reads as follows: *dici potest quod sicut pulchritudo non est aliqua qualitas absoluta in corpore pulchro, sed est aggregatio omnium convenientium tali corpori (puta magnitudinis, figurae et coloris), et aggregation etiam omnium respectuum (qui sunt istorum ad corpus et ad se invicem), ita bonitas moralis actus est quasi quidam decor illius actus, includens aggregationem debitae proportionis ad omnia ad quae habet proportionari (puta ad potentiam, ad obiectum, ad finem, ad tempus, ad locum et ad modum), et hoc specialiter ut ista dicantur a ratione recta debere convenire actui: ita quod pro omnibus possumus dicere quod convenientia actus ad rationem rectam est qua posita actus est bonus, et qua non posita—quibuscumque aliis conveniat—non est bonus, quia quantumcumque actus sit circa obiectum qualecumque, si non sit secundum rationem rectam in operante (puta si ille non habeat rationem rectam in operando), actus non est bonus.*
71. Gérard Sondag argues that Scotus's definition of beauty as a harmonious aggregation of many elements (including context, relations, proportion, and so forth) bears strong similarities to the Stoic understanding of beauty mediated to the tradition through Alexander of Hales. See Sondag, "The Conditional Definition of Beauty by Scotus," *Medioevo* 30 (2005), 191–206. See also Tatarkiewicz, "Did Aesthetics Progress?" Tatarkiewicz enumerates a series of propositions describing the characteristic features of beauty characterizing classical aesthetical theory. Such features include: beauty as harmony, beauty as goodness, beauty as a proper balance of proportions, beauty as suitability, and so forth. Tatarkiewicz then analyzes how beauty was understood by several medieval figures—e.g., Albert the Great, Bonaventure, Hugo the Victorine, Duns Scotus, and William of Ockham. He concludes that in the main, the Middle Ages remained faithful to the classical theory. See ibid, esp. 49–52.
72. See, e.g., *Nic. Ethics* 2.6.1106b20–3.
73. As Pomplun explains, "[A]rguments *ex convenientia* stand midway between arguments *ex ratione* and arguments *ex auctoritate*. [...] they depend on the means a free agent takes to obtain certain ends, and the resulting argument often displays a particular elegance or aesthetic logic" ("Notes

on Scotist Aesthetics," 265). In the third section of his essay, "Christ and *Convenientia*," Pomplun discusses several of Scotus's Christological arguments *ex convenientia.* Comparing Aquinas and Scotus with respect to their views of the Incarnation, Pomplun writes: "Aquinas and Scotus both believe the Incarnation to be *convenientissimum*: Aquinas thinks the Incarnation of the Word supremely fitting as a remedy for sin, but Scotus thinks the Incarnation to be supremely fitting for created being in general" (267). Aquinas employed an argument *ex convenientia* because he was discussing a counterfactual claim, an unfallen world. Scotus, however, emphasized that evil, as a privation of the good, "cannot determine God's intention *ad extra*, which necessarily remains the same regardless of *any* contingent order, our own included. In this regard, *convenientia* for Scotus is not a notion to which one resorts when the Scriptural *auctoritas* is inconclusive, but rather an encompassing style" (ibid.).

74. Ingham, *The Harmony of Goodness*, 59.
75. Ibid.
76. Ibid.
77. See, e.g., Scotus's discussion in *Quodlibetal Questions* 18.8–14, in *God and Creatures: The Quodlibetal Questions*, trans. and ed. Felix Alluntis and Allan B. Wolter (Washington, DC: The Catholic University of America Press, 1975), 400–403. In *Quod. Quest.* 18.13–14, Scotus draws an analogy between food as an appropriate object to nourish humans and knowledge (and by implication truth) as an appropriate object for the intellect (Wolter, *God and Creatures*, 402–403). Earlier in *Quod. Quest.* 18.9, Scotus had distinguished between primary and secondary types of goodness and suitability. That which perfects the being or entity itself is good and suitable in the primary sense. For example, truth is a primary human good, given what we are: rational animals. Having proportional facial features is a good in the secondary sense (Wolter, *God and Creatures*, 400–401).
78. Ingham, *The Harmony of Goodness*, 60.
79. Ibid., 61.
80. Ibid.
81. Scotus, *Ord.* prol., p. 2, q. un., n. 121 (ed. Vat. I 86). *[Q]uod ordinates Scripturae progressus ostendit eius decorem*.
82. Sondag, "The Conditional Definition of Beauty by Scotus," 194.
83. Ibid., 196.
84. Scotus, *Lectura* I.17, p. 1, un., n. 95 (ed. Vat. XVII 211). *Sonus harmonicus in cithara immutat auditum, delectationem causando; et si fiant eaedem notae, alio tamen modo ordinatae—ut si cordae percutiantur alio ordine—non causabit delectationem nec sonum delectabilem*.
85. Scotus also develops the notion of delight in hearing in the *Ordinatio* variation of the *Lectura* text discussed earlier; however, in the *Ordinatio* version he turns to the musical analogy of percussive activity in order to explicate divine acceptance of human moral acts. See, e.g, *Ord.* I.17, p. 1, q. 1, n. 152. (ed. Vat. V 212).

86. Scotus, *De Primo Principio A Treatise on God as First Principle*, trans. and ed. Allan B. Wolter (Chicago: Forum Books, 1966), n. 4.64, 123.
87. Ingham, "Duns Scotus' Moral Reasoning and the Artistic Paradigm," in *Via Scoti: Methodologica ad Mentem Joannis Duns Scoti*, 2 vols (Rome: Antonianum, 1995), 830.
88. Scotus, *Ord.* III, d. 27, n.25 (ed. Vat. X 283); Williams, "The Decalogue and the Natural Law," 603. In *Ord.* IV, d. 17 Scotus likewise employs the image of consonance to describe the relation between natural law and positive law.
89. For Scotus's discussion of God's absolute and ordained power, see *Ord.* I, d. 44 (ed. Vat. VI 363–9); Wolter, *Will and Morality*, 191–4. God's ordained power speaks of his self-imposed limitations to act in accord with laws he himself has freely willed to be the case. God's absolute power speaks of his ability to noncontradictorily and justly alter, revoke, reconfigure, or transcend such ordained laws. As Scotus explains, "God, [. . .] insofar as he is able to act in accord with those right laws he set up previously, is said to act according to his ordained power; but insofar as he is able to do many things that are not in accord with, but go beyond, these preestablished laws, God is said to act according to his absolute power. For God can do anything that is not self-contradictory or act in any way that does not include a contradiction (and there are many such ways he could act); and then he is said to be acting according to his absolute power" (Wolter, *Will and Morality*, 192). See also William J. Courtenay, "The Dialectic of Omnipotence in the High and Late Middle Ages," in *Divine Omniscience and Omnipotence in Medieval Philosophy*, ed. Tamar Rudavsky (Dordrecht: Reidel, 1985), 243–69. Courtenay observes that the two-power distinction was based on the "fundamental perception [. . .] that what God created or established did not exhaust divine capacity or the potentialities open to God" (243).
90. There are several similarities between what I describe here and Foucault's understanding of *epistemai* and historical a prioris or dynamic conditioning structures.
91. Wolter, *Will and Morality*, 325; Scotus, *Ord.* IV, d. 36, q. 1. (Wolter's translation is based on his transcription of the authoritative Codex A; the critical edition for this text is not yet available.)
92. Wolter, *Will and Morality,* I have modified the first sentence of Wolter's translation, which reads thus: "[F]or he cannot exercise acts of manly excellence." The Latin text (*Ord.* IV, d. 36, q. 1.) is available in the Latin/English edition of Wolter's book, *Will and Morality*, 522.
93. *Will and Morality*, 522.
94. See, e.g., *De civ. Dei*, 19.15.
95. Wolter, *Will and Morality*, 326.
96. Ibid., 325.
97. Ibid., 326.
98. Ibid.
99. Ibid.

100. Ibid.
101. Ibid.
102. Ibid., 327.
103. My translation. Wolter, *Will and Morality* [Latin/English ed.], 532; Scotus, *Ord.* IV, d. 36, q. 1. (As mentioned previously, the critical edition for this text is not yet available. The Latin presented in the Latin/English edition of Wolter's text is found in Codex A [ff. 255vb-56va].) The two forms of servitude that, according to Scotus, might be considered just are voluntary servitude to pay off debts or enslavement as a punishment for crimes.
104. Wolter, *Will and Morality* [Latin/English ed.], 532; Scotus, *Ord.* IV, d. 36, q. 1. (my translation). The Latin text reads as follows: *multae obligationes sunt iniustae ex parte illorum, quibus fiunt, et tamen postquam factae fuerint, servandae sunt*. In addition to my translation of the 1 Cor. 7:21 passage from the Latin, it may be helpful to consult the Greek text. The following is my translation of 1 Cor. 7:21 based on the Greek text found in the fourth edition of the Greek New Testament, edited by Kurt Aland, Matthew Black, Carlo M. Martini, Bruce M. Metzger, and Allen Wikgren."Were you a slave when called? Do not be consumed [*meletō*] by it; (however, if you are able to obtain the status of one who has been freed [*dunasai eleutheros genesthai*], by all means, take advantage of it [*mallon chrēsai*])!"
105. Wolter, *Will and Morality* [Latin/English ed.], 532; Scotus, *Ord.* IV, d. 36, q. 1.
106. Wolter, *Will and Morality* [Latin/English ed.], 533; Scotus, *Ord.* IV, d. 36, q. 1
107. See, e.g., Douglass, *Narrative of the Life*, 58, 60, 65. In addition, Scotus's comments here regarding freedom are consonant with Foucault's claim that even in cases of extreme dominating power relations such as slavery, the relation still constitutes a power relation between free subjects and thus still allows for resistance possibilities. Of course, what Scotus means by "free" subject and what Foucault means is not the same. However, Foucault's structural analysis could be employed by one adopting a Scotist-influenced view of the will and freedom.
108. My translation. Wolter, *Will and Morality* [Latin/English ed.], 532; Scotus, *Ord.* IV, d. 36, q. 1. (As mentioned previously, the critical edition for this text is not yet available. The Latin presented in the Latin/English edition of Wolter's text is Codex A [ff. 255vb-56va].) The full Latin text reads as follows: *Et quod Philosophus dicit de servitude illa maledicta, qua servus est sicut pecus, intelligi potest quod sit domini sui sicut posseio vel pecunia; non tamen quod in actibus suis tantummodo ducatur et non ducat, quia quantumcumque sit servus, tamen homo est et ita liberi arbitrii, ex quo patet magna crudelitas in prima inductione servitutis, quia hominem arbitrio liberum et dominum actuum suorum ad virtuose agendum facit quasi brutum, quia nec libero arbitrio utentem nec potentem virtuose agere*.
109. A logical sequel to my present chapter would surely involve a detailed treatment of Ockham. However, one can deal satisfactorily only with a limited number of dialogue partners, and I am already pushing that limit.
110. Allan B. Wolter, "Scotus's Ethics," in *Scotus and Ockham*, 173–4.

111. My translation. Wolter, *Will and Morality* [Latin/English ed.], 532; Scotus, *Ord.* IV, d. 36, q. 1. (As mentioned previously, the critical edition for this text is not yet available. The Latin presented in the Latin/English edition of Wolter's text is Codex A [ff. 255vb-56va].)
112. For a similar argument focusing on Ockham and the Franciscan tradition, see Luca Parisoli, "The Anthropology of Freedom," *The Personalist Forum* 15 (1999), 347–65. I employ and develop a number of Parisoli's insights in the latter part of this section. For a critical view of Scotus's metaphysics and its alleged implications concerning the body politic, see André de Muralt, *L'unité de la philosophie politique de Scot, Occam et Suárez au libéralisme contemporain* (Paris: Vrin, 2002).
113. Parisoli, "The Anthropology of Freedom," 348.
114. Of course for Scotus, right reason cannot be in conflict with the divine will expressed either in natural law or divine revelation. On a related matter, Parisoli observes that though it is true that the Franciscan tradition emphasizes the supremacy of the will in its discussion of persons, nonetheless, it is equally true that God's will alone is "completely free from any restriction. We have to recognize that there exist also some legal norms fixed by a determinate authority, that is, positive law. But these positive norms are always hierarchically subjected to God's norms that are natural norms [...] these natural norms are those that were in force before the Fall, when persons were uncorrupted, and that now, even if they are hierarchically superior to positive law, can be set aside (as common property is set aside because of private property). Nevertheless, if there is any conflict and if a natural norm sets up a claim to a positive norm, the natural one always prevails" (ibid., 351).
115. This is not to deny that restored power relations can once again go awry from the side of the oppressed or the oppressor. It is, however, to highlight the fact that humans typically resist oppressive relations, and it is only (or at least by and large) when they sense that better alternatives are available that they then give up their struggle.
116. Ibid., 364–5. Undoubtedly, the nature and types of rebellion acceptable to Christians would have to be discussed. And here, of course, one would find not one but multiple Christian perspectives.
117. Ibid., 365.
118. Ibid.

6 Recapitulation: Humans as Socially Constructed and Free, an Ongoing Improvisation

1. See, e.g., Charles Taylor, "Foucault on Freedom and Truth," *Political Theory* 12 (1984), 152–83; and Jürgen Habermas, "Some Questions concerning the Theory of Power: Foucault Again," in *The Philosophical Discourse of Modernity: Twelve Lectures*, trans. Frederick G. Lawrence (Cambridge: MIT Press, 1990), 266–93.
2. Foucault, "The Subject and Power," *Critical Inquiry* 8 (1982), 789.

3. Ibid., 780.
4. Michel Foucault, *The History of Sexuality*, vol. 1: *An Introduction*, trans. Robert Hurley (New York: Vintage, 1990), 95.
5. Kevin Jon Heller, "Power, Subjectification and Resistance in Foucault," *SubStance* 79 (1996), 99.
6. Foucault, "The Subject and Power," 789.
7. As mentioned in chapter two of this volume one might counter that suicide as an act of freedom and resistance would challenge this claim. Perhaps it would; however, because such an act brings all relational possibilities in this life to an end, it does not further our theoretical analyses. Likewise, whether or not such an action results in a change for the better depends on one's moral evaluation of suicide, the specific circumstances under which the act is carried out, and so forth.
8. Michel Foucault, "Self Writing," in *The Essential Works of Foucault, 1954–1984*, vol. 1: *Ethics: Subjectivity, and Truth*, ed. Paul Rabinow (New York: The New Press, 2001), 207.
9. Michel Foucault, "An Aesthetics of Existence" (An Interview with Alessandro Fontana, 1984), in *Politics, Philosophy, Culture: Interviews and Other Writings 1977–1984*, ed. Lawrence D. Kritzman (New York: Routledge, 1988), 50.
10. Ibid., 50–1.
11. Ibid., 49.
12. Foucault, "What is Enlightenment?" in Rabinow, *The Essential Works of Foucault, 1954–1984*, vol. 1, 315.
13. This notion of *telos* is connected to Scotus's view of the will as a self-determining, active power. For Scotus, the *telos* of human freedom involves our ability for self-determination, where that includes a human agent's striving to develop his or her skills and talents as well as pursuing various projects as part of a rich and fulfilling life. The *telos* is natural, in that when an agent's opportunities for self-determination are closed down due to enveloping oppression, the agent typically resorts to determined resistance. Since this tendency to resist actively in the face of oppression—like the relevant cognitive and volitional capacities—cuts across *epistemai*, cultures, and historical epochs, the resistance tendency, like human cognitive and volitional capacities, cannot be explained as merely a social construction. Therefore, not only are these capacities *natural* facts about human beings, so also is the *telos* to pursue opportunities for meaningful self-development free from interference.

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